



Research Article

Volume-02|Issue-01|2022

Improving Administrative Control of Investigation Departments in Closing Crime

G. Dauletyarova*

MD Student, Karakalpak State University, Nukus, Uzbekistan

Article History

Received: 30.01.2022

Accepted: 20.02.2022

Published: 28.02.2022

Citation

Dauletyarova, G. (2022). Improving Administrative Control of Investigation Departments in Closing Crime. *Indiana Journal of Economics and Business Management*, 2(1), 1-3.

Abstract: The article provides a comparative analysis of the legal norms and practices of foreign countries in the application of the institute of criminal proceedings to ensure the rights and legitimate interests of individuals and the exercise of departmental control over the heads of investigative units. Identify existing problems in the process and make suggestions and recommendations to address them given.

Keywords: Presumption of Innocence, Termination of Criminal Case, Rehabilitation, Basics of Rehabilitation, Reconciliation, Acquittal, Guilt, Term of Prosecution.

Copyright © 2022 The Author(s): This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC BY-NC 4.0).

INTRODUCTION

At the heart of the reforms carried out in our country in recent years, special attention is paid to the protection of human rights. This is especially true of judicial reforms over the past decade. In this regard, the President said: "Our main task in determining the principle of social justice in society is to adopt fair laws. In short, if the law is fair, if it protects human rights in practice, then people will respect and obey the law." (President of the Republic of Uzbekistan, n.d)

Non-prosecution of an innocent person, rehabilitation of persons prosecuted illegally, ensuring equality of arms in pre-trial proceedings, compensation for property damage caused by the crime, confession of guilt of the perpetrator and cooperation with the investigating authorities. or partial release, the issue of ensuring the rights and freedoms of the participants in the process is gaining attention.

This is stated in the Decree of the President of the Republic of Uzbekistan dated October 21, 2016 No. PF-4850 "On measures to further reform the judicial system, strengthening guarantees of reliable protection of the rights and freedoms of citizens" dated November 30, 2017. PF-5268 "On additional measures to strengthen the guarantees of rights and freedoms of citizens in judicial proceedings", August 10, 2020 "Further strengthening the guarantees of protection of human rights and freedoms in judicial proceedings No. PF-6041 of January 28, 2022 "On measures to develop

the New Uzbekistan Development Strategy for 2022-2026".

This can be clearly seen in the tasks and measures set out in the decrees and other normative legal acts (Republic of Uzbekistan, n.d). In his address to the Oliy Majlis on January 24, 2020, President of the Republic of Uzbekistan Shavkat Mirziyoyev said: "Now, It's time to dump her and move on (Republic of Uzbekistan, 2020)." In fact, it is being investigated by criminal courts.

The acquittal of criminal cases sent by the authorities on the basis of an indictment also indicates the need to strengthen control over the preliminary investigation, and to ensure that the investigation is conducted in accordance with the principles of impartiality and justice.

DISCUSSION AND RESULTS

As a result of ongoing reforms in the judicial system, special attention is paid to the study of the institute of termination of criminal proceedings in pre-trial proceedings. This is because the correct application of this institution ensures the presumption of innocence, as well as the correct application of the requirements of the law, as well as prevents the prosecution of innocent persons. In this regard, the existing problems in the application of the institute of termination of criminal proceedings during the pre-trial proceedings, the shortcomings, ways to overcome them, the correct

application of the norms, as well as the departmental control of the heads of investigative units in the application of this institution and the improvement of this area. A total of 3,702 individuals were acquitted by the courts between 2017 and 2021. In particular, 263 people were acquitted in 2017, 867 in 2018, 859 in 2019, 781 in 2020, and 932 in 2021. [11] In addition, 3,290 people were released from the courtroom in 2018, 3,080 in 2019, 3,434 in 2020, and 5,930 in 2021. [12] This means that the constitutional rights and freedoms of the individual in the application of the law in the investigation of criminal cases by the investigating authorities and in the conduct of the case before the court factors that impede supply indicate the presence of gaps. As a result, it negatively affects the effectiveness of measures to protect the rights, freedoms and legitimate interests of citizens, which in turn leads to a decrease in public confidence, confidence in law enforcement agencies and the impartiality of the judiciary. [13].

It follows that in pre-trial proceedings, the legality of criminal proceedings, the inevitability of instituting criminal proceedings, the administration of justice on the basis of equality of citizens before the law and the court, the dignity and worth of the individual - respect for value, should be based on the principles of protection of the rights and freedoms of citizens, the truth, the presumption of innocence. We also believe that special attention should be paid to ensuring the impartiality and completeness of the investigation by strengthening the responsibility of the heads of investigative agencies in pre-trial decision-making. In our opinion, the criminal procedure legislation of our country states that "as the powers of the heads of investigative units, crimes within their powers to control the timely action of investigators on the opening and prevention of crimes, to take measures to conduct a full, comprehensive and impartial investigation and preliminary investigation of criminal cases, and other similar tasks; the powers of the heads of investigative units are not defined by clear criteria, there are no norms on their responsibility and accountability in criminal inquiries and investigations.

Lack of clear definition of duties, powers and responsibilities can lead to mistakes in any field. This can be seen in the fact that the investigative units use the institute of termination of criminal proceedings.

We think that there are criminal proceedings in Russia, Belarus and Kazakhstan by expanding the powers, responsibility and accountability of the heads of investigative bodies in the implementation of the legislation, strengthening departmental procedural control over the investigative activities of the investigator, thereby ensuring the rights and freedoms of the individual and the correct application of criminal procedure norms attention is paid to mining. Expanding the powers of the heads of investigative divisions in the

criminal procedure legislation, empowering investigators and inquirers to overturn unreasonable and illegal decisions made during the pre-trial proceedings, as well as ensuring their proper application of legal norms A positive result can be achieved by clearly defining his authority and responsibility.

CONCLUSION

Based on the above, it is proposed to ensure the rights and legitimate interests of individuals in the termination of criminal proceedings in pre-trial proceedings, as well as to exercise departmental control over the heads of investigative units:

Conduct regular training sessions for pre-trial officials to improve and develop their skills in using the institute of criminal proceedings;

In order to ensure the rights and legitimate interests of individuals in the application of the institute of termination of criminal proceedings in the Code of Criminal Procedure, as well as pre-trial proceedings in general, to introduce a legal norm defining the responsibility and accountability of the head of the Investigative Body. The powers of the head of the investigation department, department, division, group and his deputy You can enter powers:

"Annulment of an illegal or unfounded decision of an inquiry officer or investigator; annulment of illegal or unfounded decisions of the head, investigator (inquiry officer) of another preliminary investigation body on criminal cases considered by the subordinate investigative body; approval of the decision to terminate the criminal proceedings; "

REFERENCES

1. President of the Republic of Uzbekistan (n.d). *President of Republic of Uzbekistan From a speech at a celebration of the 25th anniversary of the adoption of the Constitution*. Source: http://el.tfi.uz/images/Mirziyoyev_Sh_7c930.pdf
2. Republic of Uzbekistan (n.d). *National database of the legislation of the Republic of Uzbekistan*. [https / lex.uz](https://lex.uz).
3. Republic of Uzbekistan (2020, 24th Jan). *Address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis*. Source: <https://president.uz/uz/lists/view/4057>.
4. Murodov, B.B. (2018). Improving the termination of criminal proceedings: Dis ... yurid.fan.dok. (D Sc). *Academy of the Ministry of Internal Affairs of the Republic of Uzbekistan*.
5. Republic of Uzbekistan (n.d). Code of Criminal Procedure of the Republic of Uzbekistan. Articles 83,301. [https / lex.uz](https://lex.uz).
6. Qarlibaevna, B. A., Yusupbay, A., & Sabirovna, K. K. (2020). ABOUT THE ACTIVITY TASKS OF THE EDUCATION SYSTEM IN THE

- REPUBLIC OF
KARAKALPAKSTAN. *Ижтимоий
фанлар*, 2(3).
7. Алимбетов, Ю. (2017). ПРОБЛЕМА
ВЗАИМОСВЯЗИ НАЦИОНАЛЬНОГО И
ОБЩЕЧЕЛОВЕЧЕСКОГО. In *Актуальные
проблемы многоуровневой языковой подготовки
в условиях модернизации высшего
образования* (pp. 12-16).
 8. Алимбетов, Ю., & Камалова, Х. С. (2020).
QARAQALPAQSTAN RESPUBLIKASI TA'LIM
SISTEMASININ'ISKERLIK MA'SELESISI
HAQQINDA. *Журнал Социальных
Исследований*, 3(2).
 9. Алима, Б. (2014). Х?зирги заман глобалласу
маш?алалары: ??дири х?м ??тери. *Бестник
Каракалпакского университета*, 25(4), 68-75.
 10. Бердимуратова, А. К., & Бердимуратова, С. П.
(2021). ИСТОРИЯ. СОЦИОЛОГИЯ.
ФИЛОСОФИЯ. ЮРИСПРУДЕНЦИЯ. *Вестник
КГУ им. Бердаха. №, 1*, 50.
 11. Бердимуратова, А. (1997). Экологический
кризис Приаралья и проблемы его
решения. *Экономика и статистика*, (11-12), 70.
 12. Uli, R. N. R. (2021). Development of a Person's
Spirituality in Dialogue with another. *Zien Journal
of Social Sciences and Humanities*, 1(1), 133-135.
 13. Gerdruang, A., Panwatanasakul, C., & Nurnazar, P.
(2021). THE DESIRABLE MANAGEMENT OF
EDUCATION IN URBANIZATION AREA
UNDER THE OFFICE OF NON-FORMAL AND
INFORMAL EDUCATION IN BANGKOK
THAILAND. *湖南大学学报 (自然科)*, 48(10).
 14. Gerdruang, A., Panwatanasakul, C., & Nurnazar, P.
(2021). The Development of Administrators
Affiliated with the Office of Non-Formal and
Informal Education (NFE). *Review of International
Geographical Education Online*, 11(9).
 15. Nurnazar, P., & Islambek, S. (2022). HUMANISM
OF SOCIOLOGY AND SOCIOLOGY OF
HUMANISM. *Uzbek Scholar Journal*, 2, 11-14.
 16. Nurnazar, P., & Islambek, S. (2022). HUMANITY
AS AN EXPRESSION OF THE SPIRITUAL
BEING OF HUMAN. *Uzbek Scholar Journal*, 2,
15-19.