

EXISTING PROBLEMS IN THE DISTRIBUTION OF DUTIES AND FUNCTIONS OF THE EXECUTIVE AUTHORITIES AND THEIR HEADS

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Abstract

This article analyzes the functions of the executive authorities and their heads, issues in the distribution of these functions, functions and existing problems in the distribution of this function.

Keywords: Executive bodies, functions, central executive bodies, local executive bodies, ministry, committee, agency, inspections, decree, decision, order.

Introduction

The effective functioning of the system of executive power in modern state-building determines the general pace of development of the state. The reform of public administration system and improving its efficiency in the Republic of Uzbekistan is always in the focus. However, there are a number of systemic problems in the distribution of duties and functions of the executive authorities and their heads, which adversely affect the effectiveness of public administration. Theoretical foundations and essence of the executive power. The executive branch, as an important component of public power, performs the function of implementing laws and decisions adopted by the legislature, implementing state policy. On the basis of the principle of separation of powers, the executive branch is distinguished by its special role and functions. The system of executive power in the Republic of Uzbekistan consists of several levels, each level has its own level of powers and responsibilities.

The President is "the head of state and the highest body of executive power of the Republic of Uzbekistan".¹ The President coordinates all branches of government and determines the main directions of state policy. Its main tasks include the formation of domestic and foreign policy, ensuring state security, maintaining constitutional order, conducting international relations and controlling the activities of state bodies. The president also signs or vetoes laws, grants state awards, and makes amnesty decisions.

The Cabinet of Ministers is the highest executive body of the republic and performs the functions of the government. The Prime Minister of the Cabinet, as the head of the government, directs the activities of the Cabinet and ensures the implementation of its decisions. "The Prime Minister is appointed by the President and approved by the Oliy Majlis. Its responsibilities include monitoring the formation and execution of the state budget, the implementation of economic and social programs, coordinating the activities of ministries and state committees, and reporting to the President and Oliy Majlis."² Ministers - heads the executive authorities with special powers in the relevant areas. The Minister of Foreign Affairs conducts diplomatic activities and protects the interests of the state in the international arena. The Minister of Internal Affairs is responsible for maintaining public order, combating crime and ensuring the safety of citizens. The Minister of Defense is responsible for the organization of the nation's defense and the management of the armed forces. The Minister of Finance is responsible for managing public finances, implementing budget policy and overseeing the tax system. The Minister of Economic Development and Poverty Reduction works to develop and implement economic policies, attract investment and develop entrepreneurship. The Minister of Health is responsible for managing the health care system and implementing public health programs. The Minister of Education is responsible for the development of the education system, the improvement of the curriculum and the improvement of the quality of education.

State committees are executive bodies performing tasks in special areas. The responsibilities of the chairman of the State Tax Committee include implementing tax policy, ensuring budget revenues, and working with taxpayers. Chairman of the State Customs Committee is responsible for monitoring foreign trade operations and protection of the state border.

¹ Constitutionalism 2023

² Cabinet Constitutional Act 2024

Governors of the regions are the heads of the local executive authorities who are responsible for the implementation of public policy in their respective regions. Their tasks are to ensure local economic development, solve social problems, develop infrastructure, organize the activities of educational and health institutions, and solve problems of citizens. Regional governors also have responsibility for prompt emergency response and territorial security.

District and city mayors – Perform direct local government duties in their respective areas. Their main tasks include the formation and execution of the local budget, the organization of public services, the development of local infrastructure, and work to meet the daily needs of citizens. These mayors also perform the duties of maintaining order and handling complaints from citizens at the local level.

The heads of all executive branches shall function within their competence, report to higher authorities and are responsible for ensuring the rule of law. Their effective work determines the overall success of the public administration system.

Mechanism of distribution of duties among heads of executive authorities: The mechanism for the distribution of duties among heads of executive authorities in the Republic of Uzbekistan is a system based on the principles of vertical and horizontal distribution, which determines the specific scope of competence and responsibility of each head. The vertical distribution of tasks is done in a hierarchical order and forms a top-down chain of control. The Head of State as President coordinates the activities of all executive branches and sets strategic directions. Its main task is to oversee the development and implementation of basic concepts of public policy. The Prime Minister of the Cabinet of Ministers has overall responsibility for the practical implementation of the policy established by the President. It coordinates the activities of all ministry and state committees, ensures cooperation between them and monitors the execution of government decisions. The Prime Minister will also be tasked with resolving disputes between sectors and ministries and optimising resource allocation. The horizontal division of duties is carried out among bodies of the same level on the basis of sectoral and functional principles. Each minister is an expert in his or her field and bears full responsibility for the development and management of this sector. For example, the Minister of Finance is responsible for the development of the education system, while the Minister of Finance is responsible for the development of the education system. The mechanism of cooperation among

ministers is important in resolving issues that span several sectors. For this, special commissions, working groups and coordinating councils will be created. For example, economic development issues require the joint work of several ministries. At the local level, the division of duties is carried out between the mayors of the region, districts and cities. The governor of the region coordinates the activities of all local executive bodies in his territory and ensures that the policies of the central government are adapted to local conditions. And district and city mayors are directly responsible for meeting the daily needs of local residents. Functional distribution means that each leader has a specific set of tasks. The president deals with issues of constitutional powers, international relations, and state security. The Prime Minister will be responsible for coordinating domestic policy, economic development, and government activities. Meanwhile, ministers will be busy with professional governance and regulatory regulation in their fields. Control and reporting mechanism ensures efficient functioning of the distribution of duties. Each leader reports regularly to a higher authority and is responsible for his own activities. This system guarantees high-quality performance of tasks and guarantees that he is fully responsible. Coordination mechanisms were created to ensure cooperation between different bodies. Meetings of the Cabinet of Ministers, commissions by sector, councils for interprovincial cooperation and other coordination structures play an important role in the effective distribution and implementation of tasks. The Conflict and Conflict Resolution System is designed to address problems that arise when the boundaries of tasks are not clear. In such situations, tasks are redefined by higher authorities and areas of responsibility are defined. The monitoring and evaluation system allows you to assess how effectively each leader has fulfilled their duties. Ways to improve the distribution of tasks and improve the effectiveness of management are identified. The distribution of tasks is constantly being improved and adapted to changes in modern management methods, digitalization processes and the needs of citizens. This serves to improve the overall efficiency of the public administration system.

According to Chapter XX of the Constitution of the Republic of Uzbekistan, executive power is exercised through the Cabinet of Ministers, ministries, state committees and other executive bodies. Each of these bodies is endowed with its own set of specific tasks and powers, and clear and logical distribution between them is the main prerequisite for effective governance. The theoretical aspects of

the division of tasks show that each body and head must assign responsibilities within its powers, functions should not be repeated, and the hierarchical structure should be clear. International experience also confirms that in countries where responsibilities are clearly distributed, the effectiveness of management is high. The current state of the executive power system in Uzbekistan.

Currently, the executive power in Uzbekistan has a complex hierarchical structure. The Cabinet of Ministers, as the highest executive body of the government, performs the function of general coordination. Ministries and state committees are engaged in the formation and implementation of network policy. Regional, district and city khokimiyats exercise local executive power as territorial governing bodies. At the level of central executive bodies, ministries are mainly engaged in the development and implementation of network policies, while state committees are responsible for specific functions in certain areas. Khokimiyats are responsible for coordinating the activities of all sectors and solving issues of local importance in their regions. However, practice shows that the division of duties between these bodies is not always clear and logical. Often the same functions are performed by different bodies in parallel, while some important issues fall under anyone's responsibility or remain ambiguous.

Analysis of existing problems.

The main problems of the distribution of duties in the executive authorities are manifested in several directions. The most important problem is the recurrence of functions. For example, the Ministry of Economy and Industry, the Ministry of Investments and Foreign Trade, the Ministry of Finance and the relevant khokimiyats work simultaneously on economic development. This leads to an inappropriate allocation of resources and a decrease in productivity.

The ambiguity of the boundary of powers also poses a serious problem. In many cases, it is not clearly defined which body is fully responsible for which issue. This situation is especially evident when solving newly emerging problems or when a quick decision is needed.

The weakness of coordination mechanisms is also a significant problem. Information exchange and cooperation between the various bodies has not been established at the necessary level. As a result, decisions of one body can affect or create a conflict with the activities of another body. The division of powers between central and local bodies is also unclear. Often, local bodies wait for detailed instructions from central bodies, afraid to make an independent decision.

This limits the ability to make quick decisions that take into account local conditions. Staffing issues are also of serious importance. Many leaders do not know or misunderstand the clear boundaries of their roles. The system of professional training lags behind in teaching modern management methods. The motivation system is also not effective because the relationship between responsibility and reward is not clear. There are also problems with technology. The databases of different bodies are not connected to each other, the information exchange system is poorly developed. The e-government system is not fully operational, which creates inconvenience in the provision of services to citizens. Foreign experience and comparison.

The experience of developed countries shows that for effective governance it is necessary to have a clear distribution of tasks, good coordination between bodies. In Germany, for example, the powers of the federal and local authorities are clearly defined in the Basic Law, and this division has been tested for decades. Although Japan has a centralized management system, the responsibilities of each ministry and agency are very clearly defined. Coordination is carried out through the Prime Minister's Office and all decisions are made in a highly coordinated manner. In Southeast Asian countries, especially Singapore, a management system has been established that focuses on efficiency and results. Here, the activity of each organ is measured and systematically assessed by accurate indicators.

Similar problems existed in the Central Asian states, and they are being solved in different ways. In Kazakhstan, regional governance has been strengthened, and in Kyrgyzstan there has been a transition to a parliamentary system.

Ways to solve problems.

An integrated approach is needed to solve the existing problems. First of all, it is necessary to improve the legal framework. It is necessary to adopt laws and regulations that clearly define the tasks and powers of each body and position. These documents should provide for mechanisms to prevent duplication of functions. Optimization of organizational structures is also an important area. It is necessary to unite bodies performing similar functions or create a clear distribution between them. It is necessary to strengthen the role of coordinating bodies, to provide them with their real competencies. It is necessary to radically revise the HR policy. It is necessary to introduce regular training programs on modern management methods, to create a system for improving the professional

skills of managers. Implementing a performance-based motivation system should encourage leaders who perform best. Digitalization and use of modern technologies are also an important factor. It is possible to improve the quality of decision-making by creating a single system integrating the databases of all bodies, developing e-government services, using artificial intelligence and big data technologies. A monitoring and evaluation system should be introduced. It is necessary to create a system based on clear indicators, which systematically evaluate the performance of each body and head. This system should be transparent, ensure citizen and public control. As short-term measures, it is possible to strengthen coordination mechanisms between bodies, hold regular coordination meetings, improve the system of information exchange. It is necessary to reconsider and clearly define the duties and responsibilities of each body. Within the framework of the medium-term reform program, it is necessary to optimize the organizational structure, reform the training system, and gradually introduce modern management technologies. The task of this period is to improve the legal framework, adopt new laws and regulations. The goal should be to create a fully digitized, efficient and transparent management system as an atheistic direction. It is necessary that this system meet international standards, fully satisfy the needs of citizens, contribute to the development of the state and society.

Conclusion

Problems in the distribution of duties and functions of the executive authorities and their heads are one of the most important issues of improving the efficiency of public administration in Uzbekistan. The existing challenges span structural, functional, staffing, and technological aspects.

Solving these problems requires a comprehensive reform program, which should include legal, organizational, human and technological aspects. While using international experience, it is necessary to develop approaches that take into account national characteristics. Successful reform in Uzbekistan will allow creation of modern, efficient and citizen-oriented public administration system. This contributes greatly to the development of the state and society, strengthens citizens' confidence in the state bodies and accelerates overall socio-economic progress. Distribution of duties and functions between the executive authorities and their heads is one of the most complex and important issues of modern public

administration. Existing problems in this area directly affect the effectiveness of public administration and determine citizens' confidence in public bodies. One of the main problems is manifested in the lack of clear mission boundaries. Very often, cases of duplication occur as a result when several organs perform the same or similar functions. This leads to imbalanced resource allocation, waste of time, and irresponsibility. Also, some important tasks are not taken over by anyone, and as a result, remain unsolved. The problems arising from the weakness of coordination mechanisms are also of serious importance. In the absence of effective communication and cooperation between the various bodies, it becomes difficult to implement a unified policy. This is especially evident in solving complex issues that require joint work of several ministries and bodies. Problems in the vertical management system lead to a breakdown of communication between central and local bodies. Local authorities often find it difficult to strike a balance between guidance from central bodies and local conditions. This limits the possibilities of optimal decision-making taking into account local characteristics. Deficiencies in the oversight and reporting system are also a serious problem. Often due to formalistic approaches, the focus is on improving performance on paper instead of actual efficiency and results. And this will lead to the obscuring real problems and not solving them in a timely manner. Issues of professional competence and competence also play an important role. Some leaders are appointed to office based on political or other factors without having sufficient knowledge and experience in their fields. This leads to a decrease in the quality of management and poor decision-making.

Not using modern technologies and digitalization opportunities is one of the existing problems. Old-style management methods do not meet modern requirements and limit the ability to make quick decisions. Insufficient implementation of the principles of transparency and openness undermines the level of trust between citizens and government agencies. This limits citizen active participation in the implementation of public policies and reduces social support. In conclusion, the problems in the distribution of duties and functions among the heads of the executive authorities require an integrated approach. Clear definition of task boundaries, strengthening of coordination mechanisms, training of professional personnel, access to modern technologies and ensuring transparency are the main ways to solve these problems. Successful solution of these problems will significantly increase the efficiency of public administration, strengthen

citizens' confidence in the state bodies and positively influence the socio-economic development of the country. Therefore, there is a need for continuous work to improve the public administration system.

REFERENCES

1. Constitution 2023
2. Law on the Cabinet of Ministers of the Republic of Uzbekistan. 2024y
3. Local authorities - Wikipedia
https://uz.m.wikipedia.org/wiki/Mahalliy_davlat_hokimiyati_organlari
4. Local Authorities - Wikipedia
https://uz.m.wikipedia.org/wiki/Mahalliy_davlat_hokimiyati_organlari