



## LEGAL STATUS OF AGRICULTURAL LAND

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### ABSTRACT

*This article provides information on the legal status of land intended for agriculture, the distribution of land under the categories of the Land Fund of the Republic of Uzbekistan, the procedure for granting land intended for agriculture, the rights and obligations of users of land intended for agriculture.*

**Introduction:** The legal requirements for land in our republic have gone back in the early days of the transition to a market economy, and today it has become one of the main directions of the economy as a state-run event for the purposes of further deepening market relations, including tax, rent, insurance, investment and Entrepreneurship Development.

Article 55 of the Constitution of the Republic of Uzbekistan notes that land resources are the national wealth of the Republic. It is necessary to use them wisely and efficiently. This is in many ways a link to how deeply and comprehensively the most important properties and properties of the earth are studied. It can be organized, first of all, with a consistent approach to the development of a set of scientifically based activities, aimed at rational use of land, and relying on experiments accumulated in practice.

The Civil Code of the Republic of Uzbekistan, as well as the adoption of laws “on the protection of private property and guarantees of the rights of owners” and “on ownership in the Republic of Uzbekistan”, have gained historical importance in ensuring and guaranteeing the protection of property rights [1].

### Research methods.

The study used methods of legal analysis, cartographic, aerospace and unmanned controlled apparatus, statistical, Geographic Information Systems, territorial analysis.

### Research result and discussion.

The total land area of our republic is as of January 1, 2023, 44 million 892,400 hectares, of which irrigated land is 4 million 336,100 hectares.

About 9.7 percent of the total land of the Republic is irrigated land.

In Uzbekistan, the state land cadastre law, the Land Code, and Cabinet resolutions 389 have been adopted for regulating land relations, land accounting, and targeted and effective use of land.

The distribution of the Land Fund of the Republic of Uzbekistan by category is as follows: (in the account of a thousand hectares)



1. Agricultural land -26,232. 3
2. Land of settlements-225.8
3. Land for industrial, transport, communications, defense and other purposes-767.7
4. Land for conservation, wellness and recreation purposes – 3,222. 7
5. Lands of historical-cultural significance-14.8
6. Forest Foundation land-11,738. 1
7. Water fund Land-827.2
8. Reserve land – 1,863. 8

**Total places: 44892.4**

Today, as of January 1, 2023, the work of the Republican National Land Report has been finalized. In the reporting process, according to the above decisions and orders, the category of 778.9 thousand hectares of agricultural and forestry land in the Republic was changed.

Including,

- 9.5 thousand hectares to the Industrial Fund,
- 2.5 thousand hectares to the population Land Fund,
- 32.7 thousand hectares to the forest fund,
- 734.2 thousand hectares were transferred to the Nature Protection Fund.

Of the total land area of 44 million 892 thousand hectares of the Republic, 42.8 million hectares (agricultural 24.5 million hectares, forest fund 11.8 million hectares, nature protection land 3.1 million hectares, state reserve land 1.8 million hectares) or 95.0 percent were created in the “Integrated Information System of Cadastre and registration” and included in the cadastral information system.

According to Article 43 of the Land Code of the Republic of Uzbekistan, land intended for agriculture is "land assigned for agricultural extents or designated for those purposes". The targeted designation of lands, that is, their use based on the level of suitability, is determined by the results of inter-farm and internal economic Land Development settlements. Thus, these settlements allow farms to use certain portions of land for agricultural purposes [2,3].

Agricultural land is the first in the country's single Land Fund to be cleared of acreage.

A common feature of agricultural land is that it is the main means of production in agriculture. Article 1 of the Land Code of the Republic of Uzbekistan states that it is necessary to use it wisely as the basis of national wealth, life, activities and well-being of the people of the Republic of Uzbekistan, and that it is protected by the state. All land intended for agricultural use is used by those engaged in agricultural activities in accordance with the requirements of the land industry and agricultural industry, in order to satisfy the ever-growing needs of the national economy for agricultural products.

**The procedure for granting land intended for agriculture**

Agricultural land is first given to agricultural enterprises. As defined in the Land Code of the Republic of Uzbekistan, agricultural land is divided into agricultural land and Groves, inland farm roads, communications, forests, closed waterholes, buildings, buildings and structures that are necessary for the maintenance of Agriculture (Article 43 of the Land Code). Also, the land occupied by land in khaydalan, nichanzors, pastures, abandoned land, perennial dove-trees (Gardens, Vines, tutzors, fruit tree groves, orchards, etc.) is also included in the agricultural land range.



Within the agricultural land, irrigated land takes the place of Mukhim. Suitable for irrigation, land with a fixed or fixed irrigation network, where water resources are connected to an irrigation source that can provide irrigation of these lands, falls under the umbrella of irrigated land.

Depending on the purpose of using plots of land, the land of agricultural enterprises is intended for the cultivation of commodity agricultural products, and on non-agricultural land (housing, buildings, structures, roads, etc.k..) are divisible. Depending on the level of water supply, agricultural enterprise land is divided into categories of irrigated land da lalmi land. In addition to the above, the land of agricultural enterprises is divided into categories of collective fund land and land reserved for agricultural operation, depending on the form of farming. It is known that all agricultural land has a certain general similarity, regardless of whose use it is, according to the purposes of Use and the legal circumstances established by law. Subjects of the right to use such land, that is, land intended for agriculture, can be individuals and legal entities. Under current land law, land users can use the land granted to them only for the purpose specified in the act. For example, a farm has the right to use the land given to it only for the purpose of organizing mainly agricultural production.

As mentioned above, while agricultural enterprises carry out agricultural production in the first place on the land attached to them, on the second hand they also use the land for the construction of production buildings, the establishment of auxiliary farms, the production of construction materials, the construction of residential and administrative buildings, cultural and domestic buildings.

The provision of land for agricultural enterprises and organizations is carried out in practice by the method of inter-farm land development. At the time of such earthworks, the plot of land is delimited and its boundaries are marked by marzas [5].

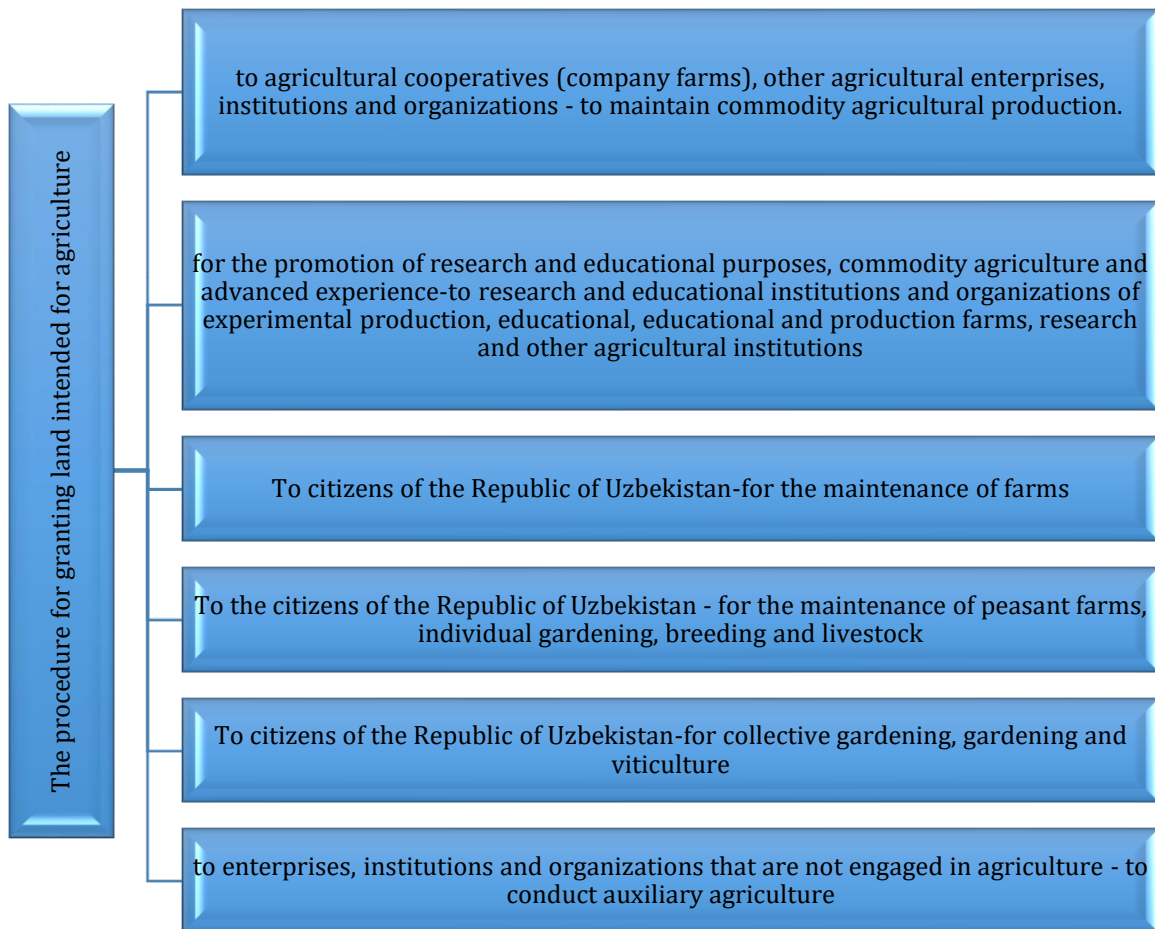
Article 32 of the Land Code of the Republic of Uzbekistan establishes that when a land plot is separated, the border of this plot is determined in natura Kholi (the land itself) and separated from other plots by marza and other different border markers. The relevant land plotting authorities issue a document confirming the right to use the land once the land plot boundaries have been set at the site. It is issued by the relevant authorities and is the only legal document confirming the right to use the land.

Under the land law of the Republic of Uzbekistan, agricultural land is granted to legal entities and individuals.

Agricultural land may be granted to legal entities and individuals for the conduct of agriculture, as well as for other purposes, as provided for by law.

Agricultural land is given to temporary use for other purposes, as a rule, provided that it is subsequently brought to a suitable point for agricultural use.(Land Code Art. 46)

The land allocated for agricultural production is considered the most valuable land, it is of paramount importance in satisfying the extirpation of food and industry for raw materials.



**Figure 1.** The procedure for granting land intended for agriculture

### **Rights and obligations of agricultural land users**

Article 39 of the Land Code establishes the rights of the landowner, land user, tenant and land owner. According to him, the landowner, land user, tenant and land owner have the following rights:

- 1) independent economic management in accordance with the purpose of its use on a plot of land;
- 2) property rights to agricultural crops and nurseries, as well as to Martingale-trees, to the income generated by the agricultural production grown and its realization;
- 3) the use of existing common minerals, forest areas, water bodies on a plot of land in accordance with the established procedure for economic extirpations, as well as the employment of other beneficial properties of the Earth;
- 4) to irrigate the lands and avoid their poison, conduct agrotechnical and other reclamation works;
- 5) irrigation of agricultural crops, Martingale-trees, as well as obtaining water according to the limits from irrigation sources for other purposes;
- 6) in accordance with the established procedure for the construction of housing buildings, production, cultural and domestic as well as other buildings and structures, the



purpose of using land plots and their reconstruction and demolition in accordance with the project documentation. Land users and tenants are happy to carry out these works in agreement with landowners;

7) to require the compensation of the damage to the land plot in the event of its seizure (including the richly endowed profit) or the payment of the expenses incurred when the land plot is voluntarily abandoned;

8) the provision of a land plot or part of it for temporary use in the manner prescribed by law and for rent of an internal farm.

A landowner may pledge life title bequeathed to a piece of land, including such a right obtained on the basis of an auction, for loans for the purpose of farming, individual housing.

The landowner, land user, tenant and land owner are required to fulfill the following obligations when using the land:

1) rational use of the land in accordance with the intended purpose, increase soil fertility, apply nature protection technologies of production, prevent the deterioration of the ecological situation in the territory as a result of its own economic activities;

2) working irrigation and reclamation networks, maintaining engineering communications in a smooth State;

3) implementation of activities related to land conservation;

4) timely payment of land tax or rent for land;

5) not to encroach on the rights of other landowners, land users, tenants and owners of land plots;

6) to bring the agricultural lands and forest lands given for the use of mineral deposits, construction and other work to a suitable state for use in agriculture, forestry or fish farming at their own expense after they are not allowed to do so, and in cases where these works are carried out on other lands, to a suitable state for use for the intended purpose;

7) to prevent negative impact on agricultural crops, woodlands and other lands outside the territory of (realized) land plots, which were acquired and used both on their own during the exploitation of mineral deposits, as well as during the implementation of other works, or to limit it as much as possible to implement measures;

8) timely provision of information specified in land use legislation to the authorities of the state government;

9) damages to other landowners, land users, tenants and owners of land plots in the prescribed manner.

The Land Code specifically specifies the obligations of landowners, land users, and tenants in the Soha of agricultural land use (Land Code Section 48). According to him, landowners, land users and tenants who use agricultural land:

1) in business plans to provide for specific measures to increase soil fertility and the rational use of land;

2) the implementation of scientifically based crop rotation, the most effective and economical aggregate rational systems of Agriculture in accordance with the conditions of the zone and the specialization of the farm;

3) ensure that land to be carved out and expanded;



- 4) complex reconstruction of non-potable irrigated land from the reclamation facility, release of water into hay fields and pastures, as well as improving their condition;
- 5) the entire internal irrigation and collector-drainage network of the farm, as well as the maintenance of the structures in it in a state of good quality;
- 6) to carry out agricultural production in ways that do not allow the salty pressing and poisoning of irrigated lands, pollution and damage of lands and water sources;
- 7) introduction of water-saving technologies for the care of agricultural crops and Martingale-trees, advanced irrigation methods;
- 8) are required by law to take land conservation measures.

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