



## POWERS OF SUBJECTS OF PRIVATE PROPERTY RIGHTS

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**Abstract:** After achieving independent statehood, Uzbekistan abandoned the once narrow, one-sided, raw material economy, but chose the path of market relations based on legal protection and different forms of ownership. Therefore, from the first days of independence, he prepared its legal ground. In fact, the development of every citizen, his family, the society and the state in which he lives depends to a large extent on how the existing assets in the society are distributed and how each individual enjoys them. In this sense, this article deals with the role of private property in the system of property relations, private property and private property, their unity and uniqueness, the concept of private property rights, the grounds for its creation and cancellation, subjects and objects of private property, such issues as the range of properties that are not objects of private property rights have been revealed.

**Key words:** Private property, private property subjects, private property objects, powers of private property subjects.

As an important factor of development, the process of modernization and reform of our country, democratization and renewal of society continues consistently. The implemented reforms and programmatic measures are having a positive effect in all sectors of the national economy.

The main goal of the implemented reforms is primarily aimed at protecting people's personal, social, economic and political rights and freedoms.

Article 41 of the Constitution of the Republic of Uzbekistan, which is considered the legal, economic and moral basis for the implementation of reforms, states that every person has the right to own property, and Article 55 provides that every person has the right to protect their rights and freedoms through the courts, illegal behavior of state bodies, officials, and public associations. - it is established that the right to appeal to the court over actions is guaranteed. This is an encyclopedic recognition of the desire to live a decent lifestyle, to enjoy the results of one's own abilities and labor as an owner.[1]

The adoption of the Civil Code of the Republic of Uzbekistan, as well as the laws "On the protection of private property and guarantees of the rights of owners" and "On ownership in the Republic of Uzbekistan" gained historical importance in ensuring and guaranteeing the protection of property rights.

K. A. Ulibkin said that private property belongs to every citizen to implement the possibility of private entrepreneurship at a high level, it is necessary to show independence, diligence, and risk-taking. These are the main signs of the development of private property, without them there will be no progress.[2]

The development of the current forms of individual property is private property characterized by Legal regulation is important in this, it reveals the essence of property relations. It is difficult to imagine private property without a legal form. Certain in private property, it is necessary to legally ensure that the property belongs to whom and does not belong to anyone else. Therefore, first of all, it is necessary to legally strengthen the fact that the property strictly belongs to the owner. If a dispute arises that is not specified in these laws, it will not be possible to resolve it. If this is reflected in the legal norms, the owner has the right to claim it back if it is out of their hands in any way beyond their discretion. The development

of such a legal system was initially reflected in private Roman law. First of all, strict protection of the material rights of the owner had an absolute character.[3]

There are potential opportunities for each subject of civil law to have certain rights in relation to objects of civil law. The same can be said about private property. In a broad sense, all subjects of civil law may have different powers (for example, the right to rent, free use, servitude, etc.) in relation to private property objects, even if they are not owners, depending on the content of certain civil-legal relations. However, not all subjects of civil law can appear as owners of private property objects. For example, public legal structures, including the state, can never be the owner of a private property object. More precisely, if the state is the owner of certain property, then this property is not private, but public property. For the same reason, based on the content of Article 208 of the Civil Code of the Republic of Uzbekistan, it can be said that the following have the powers as owners in relation to private property objects:

- citizens;
- economic societies and companies;
- cooperatives (production and distribution cooperatives);
- public associations;
- social funds;
- other legal entities that do not belong to the state.[4]

The rights of the owner of private property rights are clear in the laws is set. These powers arise from the following bases:

- a) norms defining the general powers of the owner;
- b) norms defining the powers of a private owner;
- c) authority over certain objects of private property rights from the defining norms.

In Roman private law, the powers of the owner are from the following elements composed of:

- a) **ius utendi** (right to use the object);
- b) **ius possidendi** (the right to possess the thing);
- c) **ius abutendi** (the right to dispose of the thing);
- d) **ius fruendi** (the right to harvest, income, beneficial properties);
- e) **ius vindicandi** (from a person who illegally occupies a thing the right to demand its return).

Roman jurists considered these five powers of the owner to be complete may not reveal the content of the property right in principle, because the owner of the property right did not violate the law from his property those who believe that they have the right to use it in every way.[5]

V. Ergashev's triad of powers of the owner does not represent the full scope and essence of the rights of the owner in relation to the property, for this reason, the categories "of their own free will" and "in their own interests" serve to distinguish between the rights of the owner and non-owners in relation to the property, and the property proving that the right is an absolute relationship, the owner owns that it means that he is fully independent in the exercise of his rights shows.[6]

Owner as owner in the exercise of his powers must fulfill the assigned obligation. Article 174 of the Civil Code defines the "duty to preserve property". According to this, it is up to him property maintenance is the responsibility of the owner, unless otherwise stipulated by law or contract. The task of keeping property is reflected in the following:

- payment of property tax and other mandatory payments;
- property insurance in cases provided by law;
- current and capital repairs in accordance with the procedure established by law perform their duties;
- careful storage of the property, in appropriate cases, dismantling it without harming it (if the property contains harmful chemicals), disposal.[4]

In conclusion, it should be noted that in the conditions of the market economy the range of private property objects will also naturally expand. In turn, the situation requires the inviolability of civil private property and guarantees of its legality. Implementation of the Civil Code of the Republic of Uzbekistan determined the legal basis of private property rights of citizens. It also applies to forms of property clarified. In particular, citizens' property is called "private property". In the formation and development of private

property market relations, in creating the necessary conditions for it, in determining the rights and obligations of the parties participating in these relations, in regulating their actions, and in determining the legal guarantees and measures necessary for the protection of their legal interests. is of special importance

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