

LAND LEASE FOR AGRICULTURAL PURPOSE AND ITS FINANCIAL PROPERTIES IN CONDITIONS OF ECONOMY DIGITALIZATION

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Abstract

One of the most pressing issues today is to ensure economic growth through the uninterrupted supply of food to the population of Uzbekistan and the efficient use of land resources for the export of agricultural products to world markets. This article describes the procedure for introducing a transparent and market-based land allotment in the country, which ensures the stability of land-legal relations, as well as the procedure for its free circulation as an object of civil law and its financial characteristics, as well as the development of industry, the importance of legal and regulatory documents adopted by our state on.

Keywords: money and rent rights, permanent use rights, agricultural lands, bidders, electronic online auctions, clusters, farms, dehkan farms, financial support.

Introduction

Uzbekistan has 20 million 236.3 thousand hectares of agricultural land, which is the main source of agricultural production and food security. Special attention should be paid to the efficient use of land resources to ensure food security and export potential in the country.

To effectively address these issues, the Decree of the President of the Republic of Uzbekistan No. PF-6243 of June 8, 2021 and the Cabinet of Ministers of November 24, 2021 "On measures to ensure equality and transparency in land relations, reliable protection of land rights and their transformation into market assets" Resolution No. 709 "On approval of normative legal acts on the procedure for lease of agricultural land" was adopted and approved as follows:



- Administrative regulations for the lease of land plots for farming;
- Administrative regulations for the lease of land to legal entities for agricultural purposes;
- Regulations on the procedure for secondary lease of agricultural land.

According to this normative document, district (city) khokimiyats, together with the interested government agencies, annually prepare proposals for the provision of land plots by November. The proposals are submitted to the extraordinary session of the district (city) Council of People's Deputies for approval, after which they are put up for open electronic competition.

Also, the Regulation on the procedure for secondary lease of agricultural land determines the following:

- The procedure for concluding a contract and its state registration;
- Special features of subleasing of land plots put into operation on the basis of an investment agreement or a public-private partnership;
- Payments for secondary lease of agricultural land.

In accordance with the provisions of the Charter:

- Land plots leased to legal entities and individuals, including agro-industrial clusters, enterprises with foreign investment, foreign individuals and legal entities;
- Agricultural land allotted to state bodies and organizations (except for forest lands);
- Applies to agricultural land leased by state bodies and organizations to legal entities and individuals on the basis of an investment agreement or PPP and put into operation by them.

The following land plots are not subject to secondary lease:

- Land plots allocated to dehqan farms and land plots (may be given for temporary use in accordance with Article 24³ of the Land Code);
 - Land allotted for community gardening, horticulture and viticulture;
- agricultural land leased under the terms of the investment agreement or PPP and not used.

The procedure for leasing land plots for farming has been established. According to him:

Every year, until November 1, khokimiyats prepare, submit and submit for consideration to the special session of the district (city) Council of People's Deputies projects for open electronic competition for the organization of agriculture.



The projects approved at the session will be sent to the Uzdaverloyiha Institute for submission by the Chamber of State Cadastres.

Individuals and legal entities can submit proposals to the "E-LEASE" system to put information on vacant land in an open tender. In this case, the proposals are studied within 5 working days and sent to the khokimiyats for registration of cadastral documents or the proposal is rejected.

The Uzdaverloyiha Institute will study the land on site and prepare a land development project.

The project is agreed with the competent authorities and the project is approved by the governor and sent to the platform "E-AUCTION" by the Institute "Uzdaverloyiha" through the system "E-IJARA".

Applicants for participation in the open competition are:

- Sends an application through "E-AUCTION";
- Includes a deposit of 1 times the BHM in a special account (no deposit is required from those included in the "notebooks").

The list of candidates, bids and points will be announced at 10:00 on the day of the competition.

The criteria for evaluating applicants are as follows:

- The jobs they create
- Credit history
- Specialization
- Using her husband
- Number of unemployed family members
- Inclusion in the "notebook".

The candidate with the most points wins, the first applicant with 2 points is the winner.

The winner will be given 5 working days to sign the contract and within 3 working days the winner will be given clear boundaries of the land.

With the decision:

It is planned to lease land plots to legal entities for agricultural purposes.

According to him:

By November 1 of each year, khokimiyats prepare projects for open electronic competition for the organization of farming and submit them for approval to a special session of the district (city) Council of People's Deputies.

The projects approved at the session will be sent to the Uzdaverloyiha Institute for submission by the Chamber of State Cadastres.



Applicants can submit proposals to the system "E-IJARA" to put information on vacant land in an open tender.

The Uzdaverloyiha Institute will study the land on site and prepare a land development project.

The project is agreed with the competent authorities and the project is approved by the governor and sent to the platform "E-AUCTION" by the Institute "Uzdaverloyiha" through the system "E-IJARA".

Land is leased in the following amounts:

- for horticulture, gardening and viticulture - at least 3 hectares;
- for fodder crops on irrigated land per 1 head of livestock - at least 0.3 hectares, on dry lands - at least 1 hectare, on pastures and hayfields - at least 2 hectares;
- for cotton and grain - at least 30 hectares;
- for grain and vegetable growing - at least 10 hectares;
- fish farming in artificial reservoirs - at least 0.01 hectares.

To participate in the open competition, applicants submit an application through "E-AUCTION":

- 5 times the BHM when the land is up to 30 hectares;
- 10 times the BHM from 30 hectares to 100 hectares;
- In the case of 100 and more, a deposit of 20 times the BHM is transferred to a special account.

The list of candidates, bids and points will be announced at 10:00 on the day of the competition.

The candidate with the most points wins, the first applicant with 2 points is the winner.

The winner will be given 5 working days to sign the contract and within 3 working days the winner will be given clear boundaries of the land.

With the decision made:

The procedure for secondary lease of agricultural land has been established. According to him:

Agricultural lands are leased to legal entities and individuals for the purpose of growing agricultural products (without the right to transfer to third parties).

Legal entities and individuals who sublease land plots on their own initiative, on a voluntary basis, with the consent of the sublease, enter into an agreement on sublease of agricultural land in writing or electronically.

The concluded sublease agreement is entered into the state register by the Cadastre Chamber through an electronic system.



There is a fee of 5% of the BHM for entry in the register (those included in the "notebook" are not charged).

Agricultural land is leased for up to 1 year for intercropping.

Contracts are concluded on a voluntary basis at the initiative of the lessor in written, paper or electronic form in at least 4 copies.

The state registration of the contract is denied in the following cases:

- The petition is signed by an unauthorized person or not signed at all;
- The right to land has not been registered;
- Non-payment;
- When it is not possible to sublease the land.

The normative document details the determination of payments for secondary rent by agreement of the parties.

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