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The Role Of The Administrative Justice System In Public Administration

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Abstract: This article presents an analysis of the importance of the administrative justice system in the current state administration system and its features. In addition, the views of legal scholars on the administrative justice system and methods for protecting citizens' rights and restoring their violated rights are also covered.

Introduction: Public society, mechanisms, technological processes, legal acts, state apparatus, civil servant, competence, attorney-client privilege, places of execution of punishment.

Introduction

Further improvement of the public administration system is directly related to the ongoing administrative reforms and consists in changing the content and essence of administration, increasing its efficiency, and creating a management mechanism.

Speaking about public administration, there are different views on this issue. In particular, according to Sh.T.Ikramov and I.A.Khamedov, public administration is a process established by the state and carried out by executive authorities that form a single system of public administration bodies [1].

According to Yu.N. Starilov, management is a process of purposeful and continuous influence of the subject of management on the object of management. In this, as an object of management, various events and processes can be manifested, including people, teams, social communities, mechanisms, technological processes, etc[2].

According to Yu.M. Kozlov, management is the management of something or someone. However, this does not fully explain the meaning of management. First of all, it is necessary to determine the meaning of the

concept of "management", its functional significance [3].

According to G.V. Atamanchuk, governance is a purposeful, that is, conscious, predetermined, organizational and regulatory influence on people's social life activities, which can be carried out directly (in the form of self-government) or through specially created bodies and structures (state bodies, public associations) [4].

A. Fayol, speaking about management, defines management as:

- defining the future, i.e. taking into account future events and developing a program of action;
- organizing, i.e. building the material and social body of the organization;
- giving orders, i.e. forcing employees to work in a prescribed manner;
- coordinating, i.e. unifying all actions and forces, determining their interrelation;
- controlling, i.e. ensuring that all actions are carried out in accordance with the established procedure and orders [5].

Based on the above considerations, we can say that governance is the process of implementing one or another function of the state related to the regulation of social relations arising in society by state bodies or their officials. Governance includes social affairs and state management.

Governance of social affairs is the process of regulating social relations arising through influence on one or another sphere of society.

Governance is the purposeful influence of the state or its institutions in order to adapt the life of the state to the policy pursued by the state.

Through governance, the tasks of the state aimed at certain goals are regulated, and during this process, such management methods as setting the state's perspective, organizing, giving orders, coordinating and controlling are used.

At this point, it is also appropriate to dwell on state governance bodies. State governance bodies are organizations that perform the function of the state related to execution and giving orders. State bodies are established by the state, act on behalf of the state and protect its interests. State administrative bodies are part of the state apparatus and have the right to issue orders on behalf of the state to fulfill their duties. Therefore, they have the right to act within the scope of their powers, adopt legal acts and carry out organizational work to ensure the implementation of the rules specified in these acts.

According to A.N. Kramnik, "a state administration body is, first of all, a state structure with a separate organizational structure and legally registered, a team of civil servants. This feature allows us to distinguish state administration bodies from non-state structures and recognizes that these bodies consist of civil servants. Any state administration body acts only on behalf of the state by issuing a legislative act that has legal significance" [6].

In contrast to the above points, there are the following general important aspects of public administration bodies: tasks and functions of the state are carried out through public administration bodies; state administration body to separate independence

and characteristics, as well as a civil servant - a citizen who holds a certain position in a state body, performs tasks and functions of the state within the scope of authority [7], it is debatable to agree with the opinion of the state administration body as an aspect that distinguishes it from other structures.

At the same time, Yu.M. Kozlov distinguishes the following specific features of state administration bodies: "a state administration body, along with the legislative and judicial authorities, is a separate element of the state apparatus. This means that these bodies act directly on behalf of the state, they operate to exercise a separate range of state-governmental powers in the economic, social, cultural, administrative and political spheres that business entities and other institutions cannot possess. Each state administration body has its own territorial or independent scope of activity. The first means that it has authority over the entire territory of the state or in a separate territory. The second means that it performs general or special management functions depending on the scope of activity. Among them are regulatory, permitting, control and command functions, but they can also exist in the territorial sphere" [8].

Summarizing the views of scholars, we can say that although the concept of a state administration body is close to the concept of a state body, the concept of a state body is broader. Each state administration body is similar to other state bodies in that it has its own competence, organizational structure, and scope of activity, but it differs in that the following tasks and methods of executive power bodies exist in its activities:

They carry out state activities, that is, state administration, with their own methods and essence;

Being a special body of state administration, they are also subjects of executive power bodies;

Incorporate the executive apparatus of the state.

The concepts of state administration and administrative

justice are interrelated concepts. Appealing to a higher body or court against decisions of actions of state administration that violate the rights and freedoms of citizens is one of the methods of ensuring legality in the activities of state administration bodies. That is, the right to appeal is also included in the methods of ensuring legality in state administration [9].

Restoration of violated rights of citizens occupies a special place in state administration. Based on the provisions of the Constitution, the following methods of protecting citizens' rights and restoring their violated rights are being developed in the Republic of Uzbekistan:

firstly, by filing a complaint with the relevant state bodies, accepting a citizen's complaint in the established manner, considering it and checking the applicant's evidence, and sending him a written response on the measures taken to restore the applicant's rights;

secondly, by filing an application with the court against illegal actions and decisions of state bodies and officials (judicial protection);

thirdly, by filing a complaint with the Human Rights Commissioner of the Oliy Majlis (Ombudsman) about the violated rights and freedoms of a citizen (extrajudicial protection) if the citizen has exhausted the above-mentioned means and methods of protecting his rights. The Ombudsman has the right to consider complaints from citizens of the Republic of Uzbekistan and foreign citizens and stateless persons residing in its territory and to conduct his own investigations on complaints. The Ombudsman does not consider issues that fall within the jurisdiction of the court. After examining the grounds of the applicant, the Ombudsman sends a conclusion containing recommendations on the restoration of the violated rights of the applicant to the relevant state body;

fourthly, to appeal to the prosecutor's offices that supervise the implementation of laws by ministries and departments, institutions and organizations, governors, as well as the preliminary investigation of crimes and the detention of persons deprived of their liberty in places of execution of punishment. The prosecutor's offices consider applications and complaints from citizens and take measures to restore their violated rights;

fifth, to apply to the judicial bodies authorized to ensure the protection of human rights and freedoms enshrined in the Constitution and laws of the Republic of Uzbekistan by objectively and comprehensively considering the violated constitutional rights and freedoms of citizens and taking measures in

accordance with the legislation; sixth, to apply to the bodies of the bar, which provide legal assistance to individuals and legal entities, using methods and means of protection not prohibited by law, based on the principles of independence of the lawyer, strict adherence to professional ethics, and attorney-client privilege.

Among the above methods, the administrative justice system occupies a special place. The resolution of disputes arising in public administration relations through the administrative justice system has the following positive aspects:

Firstly, administrative justice is an important part of public administration based on a single mechanism, which allows for a comprehensive resolution of administrative disputes;

Secondly, an important element of administrative justice is administrative judicial proceedings. The resolution of any dispute through the courts is the most important sign of democracy.

Thirdly, from a theoretical point of view, the concepts of "public administration" and "administrative justice" are important elements of the field of administrative law.

References

1. Муаллифлар жамоаси, Маъмурий ҳуқуқ. Дарслик. - Т.: Ўзбекистон Республикаси ИИВ Академияси, 2016. – 532 б.
2. Бахрах Д.Н., Российский Б.В., Старилов Ю.Н. Административное право: Учебник для вузов. — М: «Норма», 2004. С. 19.
3. Алехин А.П., Кармолицкий А.А., Козлов Ю.М. Административное право Российской Федерации. Учебник. — М.: «ЗЕРЦАЛО», 1998. С. 4.
4. Атаманчук Г.В. Теория государственного управления: Курс лекций. М.: 1997. С. 29-30.
5. Фаёл А. Общее и промышленное управление // Управление — это наука и искусство. М.: 1992. С. 11—12.
6. Крамник А.Н. Курс административного права Республики Беларусь / А.Н. Крамник. 2-е изд., исправ. и доп. - Мн.: Тесей, 2006. - 616 с
7. Хожиев Э.Т, Г.С.Исмаилова, М.А.Рахимова. Давлат хизмати. Ўқув қўлланма. – Т., Ўзбекистон Республикаси Президенти ҳузуридаги Давлат бошқаруви академияси, 2014. – 248 б.
8. Козлов Ю.М. Административное право: Учебник/ Ю.М. Козлов. - М.: Юристъ, 2009.-320с.
9. П.Т.Василенков. Административное право. — М.: «Юридическая литература», 1990.