

BURIAL AND ITS LEGAL BASIS

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Abstract: *This article talks about the development of burial among people and the legal basis of this field today.*

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Since ancient times, mankind has come up with various ways to follow its "final destination" after its death. For example, at different stages of history, in different parts of the world, people who died were buried, cremated, dismembered, dumped in water, or the body was simply dumped on a hill, away from human settlements. The changes of these customs over the years, the emergence of necropolises were influenced by factors such as the values, origin, customs, traditions and place of residence of each nation. In particular, the first cemeteries (Necropolis in the ancient east) were built in the Neolithic period due to the formation of religious and mythological ideas as a result of the emergence of ideas about the existence of the afterlife in the imagination of people.

A cemetery or mausoleum (Arabic: مقبرة) is a special place where the dead are buried. The types of cemeteries and the order of their protection are determined by the funeral ceremony, specific nation, religion, sect, social group, etc., as well as administrative and sanitary norms established by the authorities. In Uzbekistan, special attention has been paid to the cemetery since ancient times. Hilly places are often chosen for cemeteries, surrounded by walls or fences. Mausoleums were built for famous people. People of other religions living in Central Asia had separate graves.

Legislation in our country is built on the basis of national and moral values along with international legal norms. In particular, the legal basis of relations related to burial is formed and each concept is defined, including: Burial is the body (remaining body parts) of a deceased person, taking into account his wishes, sanitary norms and rules, and other norms and is a ritualistic act of burial in accordance with customs and traditions that do not contradict the rules. Burial is carried out by burying the body (remaining body parts) of a deceased person in the ground (in a grave or a grave). The following guarantees are given by the state to the relatives of the person being buried or to the persons who have undertaken this task during the burial of the person:

- issuing documents necessary for the burial of a deceased person immediately after the cause of death is determined. In cases where there are grounds for placing the body (preserved body parts) of a deceased person in the morgue to determine the cause of death, the body (preserved body parts) of the husband (wife), parents, children and other relatives or legal representative, and in their absence, at the request of another person who has undertaken the obligation to carry out the burial, it cannot be delayed for more than one day;

- if the deceased person's husband (wife), parents, children and other relatives or legal representative, and in their absence, another person who undertakes the obligation to carry out the burial, has been informed about the death, but the burial is not carried out by them if there are objective circumstances that make it difficult to do so, to allow the dead person's body (remaining body parts) to remain in the morgue for up to two days from the moment the cause of death is determined. This period can be extended up to three days if the husband (wife), parents, children and other relatives or legal representative of the deceased person is searched, and in their absence, another person who undertakes the obligation to carry out the burial.

In the absence of the husband (wife), parents, children and other relatives of the deceased person or legal representative or other person who undertakes the obligation to carry out the burial, or in the absence of their ability to carry out the burial, the person of the deceased shall be registered internally. The special service organized by the local state authorities will carry out the burial of the deceased after the identification by the law enforcement agencies, as well as the burial of the deceased whose identity has not been determined by the internal affairs authorities within the time limits set by the law .

When choosing burial places, in accordance with the law, the characteristics of the land plot, in particular, relief, geological location, the limit of the highest index of damage to the environment, soil composition, sanitary regulations, the impact on residential areas and urban planning regulations are taken into account by state bodies. is provided. As a rule, burial grounds are under the jurisdiction of local state authorities, and some of them can be included in the list of cultural heritage objects. The size of the burial place is determined by the Cabinet of Ministers of the Republic of Uzbekistan . When calculating the size of the plot of land, the population of the nearest residential area is taken into account. The expenses required by burial grounds are covered by the state budget. The remaining costs and other similar issues are regulated on the basis of legal documents issued by the authorities of the relevant region. For example, in the decision of the mayor of Tashkent city "On the approval of the rules for the preservation of burial places", in the maintenance and improvement of cemeteries, in agreement with the Department of Citizen Services, voluntary donations of legal entities and individuals and citizens themselves It is established that it can be used in the established order with the help of management bodies.



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