



## Village Land Administration as an Effort to Prevent Agrarian Disputes/Conflicts

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### Article Process Abstract

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This study criticizes village land administration policies that have not been orderly and firm. This resulted in the emergence of agrarian disputes/conflicts. The village land administration policy has not regulated sanctions if the regulation is not implemented. This normative research is complemented by empirical research using the interview method with village officials and Focus Group Discussion in Jompo Kulon Village, Sokaraja District. Based on the identification of research results with empirical methods in Jompo Kulon Village, it was found that several causes of problems that arise, including the limitations of Human Resources who master technology and do not understand the bookkeeping of land administration, land administration which is still manual, only refers to the Letter C Book so there is a chance for errors. in recording and lack of public awareness to register their land. Based on the results of the Focus Group Discussion, this study offers a solution for the standardization of village land administration records which are carried out digitally to minimize data changes and the existence of rewards and punishments for those who do not standardize the village administration records and encourage village community awareness to register their land through the Land Registration Program. Complete Systematic.

*Keywords:* village land administration; agrarian; dispute; conflict

### Abstrak

Penelitian ini mengkritisi kebijakan administrasi pertanahan desa yang belum tertib dan tegas. Hal tersebut mengakibatkan timbulnya sengketa/konflik agraria. Kebijakan administrasi pertanahan desa belum mengatur mengenai sanksi jika aturan tersebut tidak dilaksanakan. Penelitian normatif ini dilengkapi dengan penelitian empiris yang menggunakan metode interview dengan perangkat desa dan Focus Group Discussion di Desa Jompo Kulon, Kecamatan Sokaraja. Berdasarkan identifikasi hasil penelitian dengan metode empiris di Desa Jompo Kulon, ditemukan beberapa penyebab permasalahan yang timbul, diantaranya keterbatasan Sumber Daya Manusia yang menguasai teknologi dan belum memahami pembukuan administrasi pertanahan, administrasi pertanahan yang masih manual, hanya mengacu pada Buku Letter C sehingga berpeluang adanya kesalahan dalam pencatatan serta kurangnya kesadaran masyarakat untuk mendaftarkan tanahnya. Berdasarkan hasil Focus Group Discussion, penelitian ini menawarkan solusi adanya standarisasi pencatatan administrasi pertanahan desa yang dilakukan secara digital untuk meminimalisir perubahan data dan adanya reward dan punishment bagi yang tidak melakukan standarisasi pencatatan administrasi desa tersebut serta mendorong kepedulian masyarakat desa untuk mendaftarkan tanahnya melalui Program Pendaftaran Tanah Sistematis Lengkap.

**Kata Kunci:** administrasi pertanahan desa; agraria; sengketa; konflik.

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## I. Introduction

The village as a legal community unit living in a location has the right and authority to run its government for the interests and legal guarantees of villagers living in the village area. This is stated in Law Number 6 of 2014 concerning Villages. The law gives full authority to regulate their household to the village to carry out self-control government or called village

autonomy. Based on this understanding, the village government must guarantee legal protection for its village residents through the village government administrative services provided. Based on Article 1 of the Minister of Home Affairs Regulation Number 47 of 2016 concerning Village Government Administration, it is stated that administration is the entire process of recording data and information about village government in the village register book which includes general administration, population administration, financial administration, development administration, and other administration. Administrative services organized by the village include land administration services. Among them, based on Article 3 Paragraph (5) of the Regulation of the Head of the National Land Agency Number 7 of 2007, at the time of systematic land registration, the village head and village officials serve as one of the Land Examiner Committee (Panitia A). The village head and village officials go directly to the field in the process of determining the assessment of the certainty of juridical data regarding land parcels in the village area. The role of the village head and village apparatus is very important in land registration for the first time as a source of data or initial information about the land to support the implementation of land registration. This data can be used as a source of village land information for villages and villagers, such as proof of rights (Letter C/Petuk D) and its recording, Village Head's Certificate as proof of control of land rights needed by the community, and Land Deed Making Officials (PPAT)).

In connection with the above, orderly village land administration is very important to prevent land disputes/conflicts. If the information and land data presented are not valid and accurate, it can lead to land disputes/conflicts, such as the case in the rural area of Pamekasan Regency, it was found that village officials did not always record every change of ownership in the village land register book. The 1990 grant deed was not recorded. on behalf of Sirun in the Village Register book then a new grant deed appears in the same location.<sup>1</sup> As a form of legal protection for land ownership, proof of ownership of land rights is recognized. Then, evidence of land ownership in villages has only been based on the letter C book. The letter C book excerpt is kept by the village head as a basis for finding out the owner of the land that has been recorded since the Dutch colonial era and can be used as the basis for making certificates. The village head has an important role, namely keeping the letter C book as well as providing other land information for making certificates. Land registration based on the letter C book should be done systematically so that land rights can be protected. The transfer of land rights to Letter C is carried out by attaching the history of the land contained in Letter C and a certificate stipulating that a land to be transferred ownership rights is not in dispute issued by the local Village Head. The initial emergence of land disputes in the village is mostly motivated by the notes listed in the village book or Letter C, although Letter C does not have absolute power of proof that the name listed in it is the owner.<sup>2</sup>

However, the reality is that in every village the land registration process is carried out for the first time, either systemically or sporadically, the notes in Letter C are used as one of the reasons for proof of a person's ownership rights to a piece of land in addition to other evidence, namely testimony from village figures or officials who know the history. ownership of the plot of land in question.

Based on the data, there were 37 complaints against village governments related to land disputes that were submitted to the Ombudsman Representative in Bangka Belitung Province

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<sup>1</sup> Herman Putra Dinata, "Development of Village Land Administration, Study in Larangan Tokol Village, Tlanakan District, Pamekasan Regency" Thesis, National College of Land Diploma IV Diploma Program in Land, 2016.

<sup>2</sup> Rusman Murad, *Settlement of Legal Disputes over Land*, (Bandung: Alumni, 1991), p. 56.

throughout 2021. This shows that the village government has not fully implemented the orderly administration of village land. Disorganized village land administration if left unaddressed can lead to village maladministration, such as obscurity, abuse, delays, deviations in service procedures related to land belonging to the villagers, and illegal collections of land information. This creates opportunities for agrarian disputes/conflicts. Based on the Focus Group Discussion conducted in Jompo Kulon Village, Sokaraja Subdistrict, Banyumas Regency as well as in-depth interviews with village officials in Banyumas Regency, it was found that several causes of problems that arise, including limited Human Resources who master technology and do not understand land administration bookkeeping, land administration which is still manual, only refers to the Letter C Book, so there is a chance for errors in recording and lack of public awareness to register their land.

The thing that distinguishes it from previous research, which only discusses the role of the village government in the orderly implementation of land administration in Limbu Sedulun Village, Tana Tidung Regency, is that this research also criticizes aspects of village land administration policies that are not yet orderly and firm and offers solutions for the realization of orderly administration. village land. The explanation of this research begins with a description of village land policies that are still not standardized.

This can lead to maladministration which eventually leads to agrarian disputes/conflicts. This study begins with an explanation of village land policies from the Ministry of Home Affairs and the Ministry of Agrarian and Spatial Planning. Followed by the results of empirical research found in the village of Jompo Kulon, Sokaraja Subdistrict. Based on the analysis of this research, recommendations and solutions will be produced for the orderliness of village land administration.

## **II. Problem Formulation**

- a. How are village land administration arrangements and policies?
- b. How is it implemented in Jompo Kulon, Sokaraja Subdistrict?

## **III. Research Methods**

The study on “Village Land Administration as an Effort to Prevent Agrarian Disputes/Conflicts” uses an empirical approach derived from Focus Group Discussions. Empirical legal research is carried out with field research with the aim of seeing firsthand the application of laws and regulations or laws relating to law enforcement.

This study uses primary data collected through the Focus Group Discussions method directly from the research source. Empirical legal research is carried out with field research to see firsthand the application of laws and regulations or laws relating to law enforcement. Secondary data were obtained through a literature study with materials in the form of:

- a. Primary legal materials, consisting of relevant laws and regulations;
- b. Secondary legal materials, consisting of books, journals, related research results, and papers relevant to research problems; and
- c. Tertiary legal materials, in the form of legal materials that provide instructions and explanations of primary and secondary legal materials, such as dictionaries and encyclopedias.

Analysis of the data in this study used the Analytical Descriptive Research Method, the data analysis used was a qualitative approach to primary data and secondary data.

## **IV. Discussion**

### **1. Village Land Administration Policy**

The village government is an institution that strengthens the structure of the Indonesian state government and as a tool to achieve national development goals, the village government is the leading government agency that can reach community groups who want to prosper. Based on Law Number 6 of 2014, the Village Government Chapter is the Village Head or what is called by another name assisted by the Village apparatus as an element of the Village Government organizer. The village head has the task of carrying out government, development, and community affairs. The Village Head in carrying out his duties is assisted by the village apparatus. The village apparatus consists of the village secretary and other village officials. Other village apparatuses are appointed by the village head from the population concerned and the number is adjusted to the needs and socio-cultural conditions of the local community.<sup>3</sup> The village government as the lowest government unit has 3 (three) main functions, namely:

1. Service to the community
2. Operational function or development management
3. Administrative or administrative functions.<sup>4</sup>

Village administration is the process of managing and arranging letters and other documents related to the administration of government in the village. Orderly village administration is carried out by village officials who have been given the task and responsibility to carry out these tasks well, but this is not an easy job because it requires adequate experience and knowledge so that the work will be effective and efficient. While the narrow definition of village administration is the entire process of recording data and information on the administration of village administration in the village administration book.

The village government has the most important goal of improving the welfare of its people by providing services to the village community and being able to increase the competitiveness of the village. This can be realized if the affairs under the authority of the village are carried out properly. Villages have authority based on the division of government affairs as stated in Law Number 23 of 2014 concerning Regional Government. Based on the hierarchy of government affairs, village affairs can be sorted from derivatives of concurrent government affairs which are submitted to the Regions as the basis for the implementation of Regional Autonomy. This concurrent government affair divides obligatory government affairs and optional government affairs. In connection with this research, Article 12 of the law, regarding the land is included in the category of mandatory government affairs that are not related to Basic Services. The duties of regional government authorities are as follows:

1. Location permission
2. Procurement of land for public interest
3. Settlement of arable land disputes
4. Settlement of land disputes for compensation and land compensation for development
5. Determination of subject and object of land redistribution and compensation for maximum excess land and absentee land.
6. Determination of ulayat land
7. Utilization and settlement of vacant land problems

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<sup>3</sup> Umi Supraptiningsih, *Orderly Policy of Village Land Administration*, Journal of Al Ikhram, Vol. 3 Number 1 June 2008. Page 131.

<sup>4</sup> Vina Susana, "The Role of the Village Government in Administrative Services for the Community of Gampong Lamcot, Kuta Cot Glie District, Aceh Besar District," Thesis, State Administration Science Study Program, Ar-Raniry State Islamic University Banda Aceh, 2020.

8. Permit to clear land

9. Planning for the use of land in the regency/city area.

Based on Article 7 letter b of Government Regulation Number 72 of 2005, it is stated that government affairs, especially land which are the authority of the Regency/City, shall be left to the village. This is confirmed in Article 2 Paragraph 1 letter u of the Regulation of the Minister of Home Affairs Number 30 of 2006 which states that government affairs that are handed over to the village are the land sector, the attachment to this provision mentions in detail the tasks in the land sector including: determining the target area and location of activities land development, giving certificates of land rights, facilitating the settlement of land disputes at the village level, structuring and mapping land use.

Villages in carrying out technical operational administration of village government are guided by the Regulation of the Minister of Home Affairs of the Republic of Indonesia No. 47 of 2016 concerning Village Government Administration whose scope includes general administration, population administration, financial administration, development administration, and other administration. The village government which has recorded the Village Treasury and Land in the Village Land Book reports to the Regent/mayor. The regent/mayor conducts guidance and supervision on the implementation of village administration in his/her territory.<sup>5</sup>

Banyumas Regency has issued Regent Regulation Number 86 of 2016 concerning Management of Village Assets, it also regulates village assets in the form of land/buildings but has not regulated the evaluation and implementation of village land administration, guidance, supervision, and consultation on the implementation of village land administration as well as sanctions to the village head. which does not carry out village land administration. This has an impact on the unorganized implementation of village land administration.

Juridically, the obligation to provide information related to general administration, especially regarding land, is part of village administration in the field of general administration. This obligation is the basis and source of authority for the Village Head to issue a Certificate. Meanwhile, the Ministry of Agrarian Affairs and Spatial Planning does not technically regulate the implementation of village land administration. However, a village head certificate is required at the time of first land registration as stated in Article 10 Paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration which states that the administrative unit for land registration is a village or kelurahan. The land registration process will produce a product in the form of a land certificate as strong evidence of the ownership of land rights. The Village Head issues a Village Certificate to inform the control of land use that is not yet certified as proof of land tenure.

The letter contains the conditions, location, boundaries, and name of the landowner issued by the Village Head where the land is located. Then came the arrangement stating that the Village Certificate is no longer needed based on the Circular of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 1756/15.I/IV/2016 concerning Instructions for Implementation of Community Land Registration and Regulation of the Minister of Agrarian and Spatial Planning/Head National Land Agency of the Republic of Indonesia Number 35 of 2016 concerning Acceleration of Complete Systematic Land Registration. The two regulations regulate the simplification of the land registration process that does not require a Village Certificate. This arises because there is a view that managing a

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<sup>5</sup> Article 11 Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 47 of 2016 concerning Village Government Administration.

Village Certificate takes a very long time and various technical procedures are quite lengthy. However, the Government Regulation No. 18 of 2021 was issued regarding Management Rights, Land Rights, Flats, and Land Registration Units which brought back the Village Certificate in the land registration process. Article 97 of the regulation states that the Village Certificate is a guide in land registration activities. Based on research from Marcella Santoso that the Village Certificate is only an accompanying document in land registration activities but in practice in court, the document can become a valid proof of land ownership rights in place of a certificate.<sup>6</sup>

## **2. Factors Causing Disorganized Village Administration**

Land disputes are classic problems that have almost always existed from the past until now. The use of the term land disputes varies such as agrarian conflicts, land conflicts, and mining conflicts, etc. Minister of Agrarian Regulation Number 21 of 2020 concerning the handling and settlement of land cases distinguishes between the definitions of land disputes and agrarian conflicts. Disputes are land disputes between individuals, legal entities, or institutions that do not have a broad impact, while land conflicts are land disputes between individuals, groups, groups, organizations, legal entities, or institutions that have a tendency or have a broad impact. The cause of agrarian conflicts cannot be separated from the disorderly land administration in the village. Village land administration plays an important role in preventing village land disputes/conflicts. The importance of village land administration can be seen from the consequences if there is no orderly land registration, such as land disputes.

Based on data collection from Focus Group Discussion and In-depth Interview in Jompo Kulon Village, Sokaraja District, Banyumas Regency, several factors were found that caused the disorder in village administration, including:

1. In practice, the village government in carrying out village land administration keeps books on the Village Register or called Book C which consists of the Village Cash Land Book and the Village Land Book. Book C or often called Letter C is a book kept by the village apparatus (village secretary) which is used by tax collectors to pay taxes during the Dutch colonial era and can be used as evidence to support ownership of land rights because it records historical ownership of land rights. land in the village area.<sup>7</sup> However, not all village officials correctly understand the standardization of writing based on the Regulation of the Minister of Home Affairs of the Republic of Indonesia No. 47 of 2016 concerning Village Government Administration so it was found that there were variations in the recording of the Village Treasury Land Book and Village Land Books.
2. The recording of the Village Cash Land Book and the Village Land Book is still done manually, and not yet computerized, while village officials always change based on the term of office so that there is the potential for data changes.
3. Limited resources of village officials who understand computer technology.
4. There are still villagers who do not understand the importance of recording land data at the village office and are less cooperative when they are asked for information about their land, for example, there is inherited land that is not immediately taken care of for the transfer of

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<sup>6</sup> Marcella Santoso, Village Head Certificate as Evidence of Land Tenure (Normative Study on Court Decisions related to the Use of Village Head Certificate as a Base for Land Tenure Rights). Dissertation Faculty of Law, University of Indonesia, 2022.

<sup>7</sup> Thalia Bella, Hermana Najooan and Neni Kumayas, "Function of the Village Register in Realizing Orderly Land Administration (Study in Sinisir Village, Modounding District, South Minahasa Regency). 3 of 2019, p. 3

land rights to the heirs, does not inform the transfer of land rights to the village so that the village did not receive the latest information regarding changes in land rights.

Several problems regarding land information and administration arise due to poor documentation of village land data, irregular land history recording, unclear land boundaries, and lack of concern for residents to take care of certificates because they think that bureaucracy is difficult and expensive. This situation triggers disputes/conflicts such as multiple certificates, land boundary disputes, land grabbing conflicts, etc.<sup>8</sup>

### 3. The Importance of Systematic Administration of Village Land

H. Moeftie Wirahardja argues, the administration is one of the common means to drive the activities of a group of people (including tools and facilities) who work together in an organization to achieve certain goals. In line with Wirahardja, Herbert A. Simon defines administration as collaborative group activities to achieve common goals. Thus, from the two definitions above, it can be concluded that administration is a planned work carried out by a group of people in cooperation to achieve goals on an effective, efficient, and rational basis.<sup>9</sup> Administration etymologically comes from English, namely, an administration which is defined as to manage, besides that in Dutch administratie has a meaning that includes administration, management of the organization, and resource management. In a narrow sense, the administration is defined as an administrative activity that is the control of information. Broadly speaking, the administration is defined as cooperation related to the interests of a group of people and achieving the desired goals.<sup>10</sup>

In connection with this research, land administration is the key to land management that will support the law of a country. Land management is a process of making and implementing decisions about how land and its resources are applied, used, and protected in society.<sup>11</sup> Land management will be carried out optimally if the land administration is carried out in an orderly manner. This is as proclaimed in the Decree of the Head of the National Land Agency Number 277 of 2012 concerning the Order of Land Affairs which consists of administrative order, budget order, equipment order, office order, staffing order, work discipline order, and moral order. Land Administration is also defined as part of the State Administration which has the aim of providing services in the land sector to the community.<sup>12</sup> The realization of an orderly land administration is not an easy matter, it requires cooperation and support outside the National Land Agency, including the village government. The role of involving the village head as an adjudication team in systemic land registration activities.<sup>13</sup> The involvement of village heads and village officials based on accurate information data in the administrative system will support the realization of orderly national land administration. One source of agrarian conflicts is the inaccuracy of the administrative system at the village/kelurahan level.

Village land administration is one form of service to the community. Kaufman and Thoha state that the government's job is to serve and regulate society. The task of service is

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<sup>8</sup> Aliesa Amanita, Bayu Setiansyah, "Structure of Information Systems and Land Administration at the Village Level in Cimahi City in the context of Agrarian Reform, *Journal of Caraka Prabu* Vol 4 NO. December 2, 2020.

<sup>9</sup> Herbert A. Simon, *Public Administration*, New York, Alfred A. Knopf. 1959. p.1.

<sup>10</sup> Liang Gie, *Modern office administration*, Yogyakarta: Liberty, 1992. p.12.

<sup>11</sup> Lutfi Nasoetion, *Land Administration in Facing Regional Autonomy*, Panel Discussion Paper on Land Administration in Facing Regional Autonomy, Yogyakarta National Land College.p. 2.

<sup>12</sup> Pramusintha Nugraha, Budi Mulyanto, and Khursatul Munibah, "The Role of Land Administration in Controlling the Utilization of Wetland Agricultural Areas in Bogor Regency," *Journal of Regional and Rural Development Planning*, Vol 5 February 2021, p. 30.

<sup>13</sup> Article 8 Government Regulation Number 24 of 1997 concerning Land Registration

emphasized by prioritizing the public interest, facilitating public affairs, shortening the time for the implementation of public affairs, and providing satisfaction to the public.<sup>14</sup> The task of government in essence has 3 (three) essential functions, namely: service, empowerment, and development.<sup>15</sup>

Land administration services will provide guarantees of justice for the community, empowering village apparatus human resources will encourage village independence in development that will create prosperity in the community.

The administration of village land needs to get supervision and guidance from the district government as stated in Article 6 of the Regulation of the Minister of Home Affairs Number 32 of 2006 concerning Village Administration Guidelines which states that the Regency/City Government and the sub-district head are obliged to foster and supervise the implementation of village administration. The guidance and supervision include establishing arrangements relating to village administration, providing technical guidelines for implementing village administration, evaluating and supervising the implementation of village administration, providing guidance, supervision, and consultation on the implementation of village administration.<sup>16</sup>

In addition, computer technology is needed to assist village land administration to minimize human error. Low community participation and lack of solid evidence on land are one of the causes of the low process of registering land rights. This is caused by people who do not know the procedure for making land certificates, the high cost of making land certificates, and the process of obtaining land certificates is complicated and takes a long time so people are reluctant to hasten the registration of their land. In addition, the community has not felt the urgency and benefits of land registration so there has not been awareness to register their land. As a result of unsystematic land registration, agrarian conflicts are unavoidable. Based on the problems described previously, the solution that can be offered is to implement Complete Systematic Land Registration (PTSL) and digitization. Complete Systematic Land Registration is a land registration activity for the first time that is carried out simultaneously for all land registration objects throughout the territory of the Republic of Indonesia in one village/kelurahan area or other names of the same level to provide legal certainty and legal protection.

Before the implementation of PTSL, there was another program which was better known as the National Agrarian Program (PRONA) which had a different concept, namely the awareness that based on the juridical aspect, not all land parcels could be issued certificates. The purpose of PTSL is to issue certificates as strong evidence of rights, namely land parcels that meet the requirements for issuance of Land Rights Certificates both physically and juridically. In addition, with digitalization, it is hoped that it will provide legal certainty to the holders of land rights, and cases such as overlapping certificates and double certificates can be prevented. Before the implementation of PTSL, the implementation of land registration throughout the territory of Indonesia was based on Government Regulation Number 24 of 1997.<sup>17</sup>

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<sup>14</sup> Miftah Thoha, *Bureaucracy and Politics in Indonesia*, 2003, Jakarta : PT. Raja Grafindo Persada, p. 71.

<sup>15</sup> Riyaas Rasyid, *The Meaning of Governance in an Ethical and Leadership View*, 2002, Jakarta: PT. Mutiara Sumber Widia, p. 59.

<sup>16</sup> Article 6 of the Regulation of the Minister of Home Affairs Number 32 of 2006 concerning Village Administration Guidelines.

<sup>17</sup> Sheila Pratiwi, *Effectiveness of the Implementation of the Complete Systematic Land Registration (PTSL) Program in the Context of Providing Free Land Certificates in Medan Marelan District*, Medan City, 2019. Sumatra: UMSU. p.47.

The land has a close relationship with humans as a source of human life such as a place to live, work, and live so agrarian disputes are often a problem in Indonesia. Problems such as agrarian disputes can be prevented by systematic and comprehensive land registration. Land disputes are disputes or disputes that make land rights the object of dispute.

As a source of national agrarian law, the UUPA explains that land is a gift from God Almighty to the Indonesian nation which consists of the earth, the body of the earth, water, and the space above it. Soetrisno argues that land has a very important meaning for human life, because apart from being a place of settlement, the land is also a source of livelihood for humans who make a living through agriculture, plantations, and mining. Land law is the entire legal provisions, both written and unwritten, all of which have the same object of regulation, namely land tenure rights as legal institutions and as concrete legal relationships, with public and private aspects, which can be arranged formally. systematically so that the whole becomes a single unit that constitutes a single system.

As previously explained, at this time villages still rely on the letter C book as proof of land ownership. The letter C book which was originally only as proof of tax payments is now the basis for the data collection on land ownership. The disadvantage of the letter C book is that its condition is not feasible so the data contained in it is difficult to read. This can be fatal if the officer misreads the data in the letter C book. This condition can come from systematic and thorough recording. The first solution that can be offered is to do PTSL. PTSL is expected to prevent agrarian conflicts because the data is recorded at one door, thereby reducing the possibility of double certificates and overlapping certificates.

For example, juridically the Provincial Government of Lampung Province is the legal holder of HPL for a parcel of land covering an area of 1,100,472 m<sup>2</sup> but since the HGB was granted in 1992 the Government has not been able to effectively manage and control the land, resulting in a land tenure conflict between the Provincial Government of the Regional Level. I Lampung with the people who have occupied it for a long time. In addition, in Bandar Lampung City there are a lot of state-owned lands, including land assets belonging to the local government, along with school land, offices, and vacant land which is partly controlled by individuals without certificates. This problem has the potential to be a source of conflict, both horizontal and vertical conflicts such as dual certificates, and certificates that have two sides, namely civil, where one side is proof of ownership while on the other side is a decision that is decisive.

Referring to H. Moefitje Wiriahardja, administration is one of the common means to activate the activities of a group of people (including tools and facilities) who work together in an organization to achieve certain goals. The implementation of village land administration is not directly under the Land Agency. As a result, the scripts and records carried out did not meet all the needs and criteria set for the Land Agency. Oppenheimer argues that administrative law is a combination of provisions that bind high and low bodies if the agency uses the authority that has been given by constitutional law. Unlike Logemann, administrative law is a set of norms that examine the special legal relationship that is held to enable administrative officials to carry out their special duties.<sup>18</sup>

Maladministration is behavior or action against the law, exceeding authority, using authority for purposes other than those for which the authority is intended, including negligence and neglect of legal obligations in the administration of public services carried out by state and government officials that cause material and/or immaterial losses to the

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<sup>18</sup> H. Moefitje Wiriahardja, Guidelines for Public Administration, 1980, Jakarta: Balai Pustaka.p.17.

community and person. Thus, the act of neglecting legal obligations from the government in the form of disorderly land administration is one form of maladministration.

As a solution to the disorderly village administration, a Complete Systematic Land Registration (PTSL) can be offered as a solution. Complete Systematic Land Registration (PTSL) is part of a series of land registration processes. When referring to PP 24 of 1997, registration is a series of activities carried out by the Government continuously, continuously, and regularly including the collection, processing, bookkeeping, and presentation and maintenance of juridical data, in the form of maps. List of land parcels and apartment units, including the issuance of a certificate of title for land parcels that already have rights and ownership rights for flats as well as certain rights that encumber them. In the PTSL registration process, there are two types of data collected, namely physical data and juridical data. Physical data is data that contains information regarding the location, boundaries, and area of land parcels, while juridical data is information regarding the legal status of the land parcels, rights holders, and other burdens that burden them.

Based on the provisions of Article 3 of Government Regulation no. 24 of 1997 clarifies that the objectives of holding land registration are: (1) To provide legal certainty and legal protection to holders of rights to a parcel of land, apartment units and other registered rights so that they can easily prove themselves as holders of the rights concerned; (2) to provide information to interested parties including the government so that they can easily obtain the data needed to carry out legal actions regarding registered land parcels and apartment units; and (3) for the orderly implementation of land administration.<sup>19</sup>

The guarantee of legal certainty over land has been mandated by Law No. 5 of 1960 concerning Agrarian Principles to provide a sense of security to land owners.<sup>20</sup> The difference between the PTSL concept compared to the previous systematic registration is that there is an awareness that from the juridical aspect, not all land parcels can be issued certificates. Juridical data in land parcels are classified into 4 clusters, namely:

- a. Cluster 1 consists of juridical data on land parcels that meet the requirements and are processed until the issuance of land rights certificates;
- b. Cluster 2 which consists of parcels of land whose juridical data meet the requirements for certificate issuance but there are cases in court as stated in Article 13 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency no. 35 of 2016;
- c. Cluster 3 which consists of plots of land whose juridical data cannot be recorded and certificates issued because the Subject is a Foreign Citizen, Private Legal Entity, the subject is unknown, the subject is not willing to participate in complete systematic land registration and the object is P3MB land, Prk 5, House Category III, Nationalization Objects, Communal Lands, Absentee Lands, Customary Land Objects, documents proving incomplete ownership, participants are not willing to make a statement of physical control of the land parcels. For land that cannot be recorded and the certificate issued, it is recorded in the register.
- d. Cluster 4 which consists of land whose subject juridical data is complete because it is certified, the object meets the requirements but does not meet the expected spatial data quality.

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<sup>19</sup> Umi Supraptiningsih. Op.Cit.

<sup>20</sup> Kartini Muljadi and Gunawan Widjaja, 2004, Land Rights, Prenada Media, Jakarta, p. 89.

The village has a close involvement in managing the land sector, such as issuing or authorizing important documents related to land, such as giving ratification. Thus, Land Declaration Letter is not in a state of dispute or guarantee, Declaration Letter of Boundary Marking, Certificate of Ownership/Model A, Copy of Village Inspection Book and Quotation of Letter C of Origin, Proof of Settlement of Land and Building Tax, Certificate of Inheritance, Letter of Release of Rights and others.

Apart from land registration, another solution that can be offered is the use of technology in the form of digitization. Ideally, it is the land administration that must be shifted towards a digital-based land administration. Administrative services can be started from the village level. Digitalization is currently being gradually implemented in government from the central level to the sub-district/village level. The digitization process aims to improve service quality by utilizing advances in technology and information.

#### **4. PTSL as a One Stop Registration System in Order to Control Land Administration**

Land registration has a purpose, namely to provide legal certainty, namely Rechts Cadaster or Legal Cadastre. To legal certainty, the LoGA regulates land registration which is a must for the government and owners of land power. One of the policies given by the government is regarding mass land certification, one of which is the Complete Systematic Land Registration Program (PTSL) which is carried out by the Land and Spatial Planning Office/Land Office. Article 1 paragraph (2) Guidelines for the Minister of Agrarian Affairs and Spatial Planning. Head of Land of the Republic of Indonesia No. 6 of 2018 concerning PTSL states that PTSL stands for Complete Systematic Land Registration which is the first time land registration action is held simultaneously for all land registration objects in all regions of the Republic of Indonesia in a village or sub-district or different names of the same level and combines various physical and data. juridical information about one or more objects of land registration.

Based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Republic of Indonesia No. 12 of 2017 concerning Acceleration of Complete Systematic Land Registration, there is a requirement for physical data and juridical data to be used to prove the truth of ownership of rights to a plot of land so that the applicant can register his land and obtain a land certificate as a legal requirement.<sup>21</sup> Physical data and juridical data are very crucial because land inspections are carried out to ensure that the information contained in the legal archive is in accordance with the conditions currently in place. The implementation of PTSL has a goal, namely to provide legal certainty and legal protection of community land rights based on simple, fast, smooth, safe, fair, equitable, open, and accountable principles so that it is expected to reduce and prevent land disputes and conflicts.

The implementation of PTSL is carried out by the provisions of Article 4 paragraph (4) of the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 6 of 2018 regarding the implementation of Complete Systematic Land Registration (PTSL) activities which are carried out in several stages:<sup>22</sup>

- a. Planning;
- b. Location Determination;

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<sup>21</sup> Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Republic of Indonesia No. 12/2017 on the Acceleration of Complete Systematic Land Registration.

<sup>22</sup> Provisions Of Article 4 Paragraph (4) Of the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 6 of 2018 concerning The Implementation of Complete Systematic Land Registration (PTSL).

- c. Preparation;
- d. Establishment and stipulation of PTSL adjudication committee and task force;
- e. Counseling;
- f. Physical data collection and juridical data collection;
- g. Juridical data research for proof of rights;
- h. Announcement of physical data and juridical data and their ratification;
- i. Confirmation of conversion, recognition of rights, and granting of rights;
- j. Bookkeeping rights;
- k. Issuance of land rights certificates;
- l. Documentation and submission of activity results; and
- m. Reporting.

The implication of this research is to provide a clear picture of the importance of policy arrangements and village land administration regulations being implemented as much as possible and to provide definite guidelines by correcting existing shortcomings regarding the implementation of land administration in Jompo Kulon, Sokaraja.

## **V. Conclusion**

Based on the discussion and analysis that has been described, it can be concluded that the irregularity of land administration in the village can lead to risks such as land disputes. Thus, to protect land in the village, enforcement measures are needed. In the context of administrative control, the following things can be pursued, namely:

1. Improving the administration of land in the kelurahan/village;
2. Improving the quality of human resources in the kelurahan/village and understanding of the objectives of maintaining land data in the kelurahan/village;
3. Increase public awareness related to land registration and its benefits;
4. PTSL data storage in electronic form;
5. Maintenance of registration in digital form;
6. Synergy between institutions related to land registration;

## **References**

- Amanita, Aliesa, Bayu Setiasyah, 2020. "Organization of Information Systems and Land Administration at the Village Level in Cimahi City in the context of Agrarian Reform, Journal of Caraka Prabu Vol 4 NO. December 2, 2020.
- Bella, Thalia. 2019. Hermana Najooan and Neni Kumayas, "The Function of the Village Register in Realizing Orderly Land Administration (Study in Sinisir Village, Modoinding District, South Minahasa Regency) Execution Journal Vol 3 No. 3 of 2019.
- Dinata, Herman Putra. 2016. "Development of Village Land Administration, Study in Larangan Tokol Village, Tlanakan District, Pamekasan Regency" Thesis, National College of Land Diploma IV Diploma Program in Land.
- Gie, Liang, 1992, Modern office administration, Liberty, Yogyakarta.
- Government Regulation Number 24 of 1997 concerning Land Registration
- Kartini Muljadi dan Gunawan Widjaja, 2004, Hak-Hak Atas Tanah, Prenada Media, Jakarta.
- Lutfi Nasoetion, Land Administration in Facing Regional Autonomy, Panel Discussion Paper on Land Administration in Facing Regional Autonomy, Yogyakarta National Land College.

- Manurung, Siti Hardianti Rukmana.2017. Strategy of the National Land Agency of Pekanbaru City in Minimizing the Problem of Overlapping Land Certificates (Overlapping) in Pekanbaru City. Journal of JOM FOSIP. Vol.4. No. 2. 2017.
- Murad, Rusmadi.1997. Land Administration: Implementation in Practice. Bandung: Mandar Maju.
- Murad, Rusman, 1991, Legal Dispute Resolution on Land, Alumni. Bandung.
- Nugraha, Pramusintha, Budi Mulyanto, and Khursatul Munibah, 2021. "The Role of Land Administration in Controlling the Utilization of Wetland Agricultural Areas in Bogor Regency," Journal of Regional and Rural Development Planning Vol 5 February 2021.
- Pratiwi, Sheila. 2019. Effectiveness of the Implementation of the Complete Systematic Land Registration (PTSL) Program in the Context of Providing Free Land Certificates in Medan Marelan District, Medan City. Sumatra: UMSU.
- Rashid, Riyaas. 2002. The Meaning of Governance in an Ethical and Leadership Viewpoint. PT. Pearl Source Widia. Jakarta.
- Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Republic of Indonesia No. 12/2017 concerning the Acceleration of Complete Systematic Land Registration.
- Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 6 of 2018 concerning The Implementation of Complete Systematic Land Registration (PTSL).
- Regulation of the Minister of Home Affairs Number 32 of 2006 concerning Village Administration Guidelines.
- Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 47 of 2016 concerning Village Government Administration.
- Santoso, Marcella. 2022. Village Head's Certificate as Evidence of Land Tenure (Normative Study on Court Decisions related to the Use of Village Head's Certificate as a Base for Land Tenure Rights). Dissertation Faculty of Law, University of Indonesia.
- Simon, Herbert A., (1959), Public Administration, New York, Alfred A. Knopf
- Supraptiningsih, Umi, 2008. Orderly Policy on Village Land Administration, Journal of Al Inham, Vol. 3 Number 1 June 2008.
- Susana, Vina. 2020. "The Role of the Village Government in Administrative Services for the Community of Gampong Lamcot, Kuta Cot Glie District, Aceh Besar District," Thesis, State Administration Science Study Program, Ar-Raniry State Islamic University Banda Aceh.
- Thoha, Miftah. 2003. Bureaucracy and Politics in Indonesia. PT. Raja Grafindo Persada, Jakarta.
- Wiriadihardja, H. Moefitie. (1980). Pedoman Administrasi Umum, Jakarta : Balai Pustaka.