

Legal Analysis of Land Certificate Management in Sidomulyo Village, Ampel District, Boyolali Regency

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Abstract

The purpose of this research was to find out what the legal analysis about processing land certificates in Sidomulyo Village, Ampel District, Boyolali Regency and the process was in processing land certificates at the National Land Agency (BPN) Boyolali Regency in the Sidomulyo Village area, Ampel District. This research was a type of normative legal research. From an etymological perspective, normative legal research is also called legal research, normative legal research, or normative juridical onderzoek. Normative legal research is legal research, which legal analysis through concepts, norms, or rules that exist in society and became a reference for everyone's behavior. When viewed from the legal aspect, the implementation of land certification in the Sidomulyo village area referred to UUPA no. 5 of 1960 which is the most basic legal basis regarding land certification to date, and PP No. 24 of 1997 concerning Land Registration which regulates the process of land registration/certification by government bodies whose task is to record mapping of community land and its ownership status. The process of issuing land certificates in Sidomulyo Village, Ampel District, Boyolali Regency carried out by the National Land Agency (BPN) of Boyolali Regency was considered smooth and controlled. For residents of Sidomulyo Village, the issuance of land deeds functions as legal guarantee for owners of assets in the form of land.

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Abstrak

Tujuan dari penelitian ini adalah untuk mengetahui bagaimana analisis hukum terhadap pengurusan sertifikat tanah di Desa Sidomulyo Kecamatan Ampel Kabupaten Boyolali dan bagaimana proses yang ada dalam pengurusan sertifikat tanah yang ada di Badan Pertanahan Nasional (BPN) Kabupaten Boyolali dalam wilayah Desa Sidomulyo Kecamatan Ampel. Penelitian ini merupakan jenis penelitian hukum normatif. Dalam perspektif etimologis, penelitian hukum normatif disebut juga sebagai legal research, normative legal research, atau normatif juridish onderzoek. Penelitian hukum normatif adalah penelitian hukum, yang menganalisis hukum dengan melalui konsep, norma, atau kaidah yang ada dalam masyarakat dan menjadi acuan dari perilaku setiap orang. Pelaksanaan pengurusan sertifikasi tanah di wilayah desa Sidomulyo apabila ditinjau dari aspek hukumnya mengacu pada UUPA No. 5 Tahun 1960 yang mana menjadi landasan hukum paling dasar mengenai sertifikasi tanah hingga sekarang, dan PP No. 24 Tahun 1997 tentang Pendaftaran Tanah yang di dalamnya mengatur proses pendaftaran / sertifikasi tanah oleh badan pemerintah yang bertugas untuk mencatat pemetaan tanah masyarakat serta status kepemilikannya. Proses penerbitan sertifikat tanah di Desa Sidomulyo Kecamatan Ampel Kabupaten Boyolali yang dilakukan oleh Badan Pertanahan Nasional (BPN) Kabupaten Boyolali terbilang lancar dan terkendali. Bagi warga Desa Sidomulyo, penerbitan akta tanah berfungsi sebagai jaminan hukum bagi pemilik aset berupa lahan / tanah. Se jauh ini pelayanan yang diberikan oleh petugas kantor pertanahan di Kabupaten Boyolali kepada warga desa Sidomulyo telah diupayakan yang terbaik.

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1. INTRODUCTION

The agrarian aspect is also influenced by law. The important role that land has in human life has also become an object that is specifically regulated in law. In more scientific language, this is known as agrarian law. Harsono stated that what is meant by agrarian regulation is a legal system

relating to the regulation of ownership and/or use of natural resources and includes land regulation, water, mining regulation, fisheries regulation, and the law of control over energy and space elements. (Harsono, 2003). Meanwhile, according to Hardjosoemantri, laws relating to the management of agrarian resources are fully subject to laws governing the environment (Hardjosoemantri, 2005). Regulations regarding the ownership and/or use of natural resources are an important aspect that must be comprehensively regulated in such a way.

The condition of land registration in Boyolali Regency and nationally can be understood as a condition that is not conducive. It is understood that this is not conducive, because there are still many individuals involved in various land registration processes. One of the things that happened in the Boyolali Regency area was a land broker who deceived buyers and used the money from their fraudulent transactions to gamble. (Agung Santoso, 2022). The involvement of land in the process of buying and selling such dirty land, of course, must be handled as optimally as possible. Because this is of course detrimental to the community and makes land an object of dispute which has the potential to become widespread legal action.

Another problem that must be resolved is that there is still a lot of land in Boyolali Regency that has not been certified. This condition was then of course responded to by the Boyolali Regency National Land Agency (BPN) to provide 5,000 PTSL for people who wanted to register their land. (Faizah, 2022). Such a gift certainly confirms the importance of the land registration process. Because the land is not certified, there is a very high risk of potential ownership disputes.

2. FORMULATION OF THE PROBLEM

- a. How is the legal analysis of land certificate processing in Sidomulyo Village, Ampel District, Boyolali Regency?
- b. How is the process in processing land certificates at the Boyolali Regency National Land Agency (BPN) in the Sidomulyo Village area, Ampel District?

3. RESEARCH METHODS

This research was a type of normative legal research. From an etymological perspective, normative legal research or normative juridical onderzoek. Normative legal research is legal research, which legal analysis through concepts, norms, or rules that exist in society and become a reference for everyone's behavior.

Other literature states that normative legal research is a legal research mechanism using documents in the form of statutory regulations, court decisions, legal theory, and various other legal documentation. Meanwhile, other literature states that normative legal research is a method of legal analysis that seeks to examine principles, systematics, and various other aspects of doctrinal analysis. So, it can be understood that the normative legal research method is a method of legal analysis by basing it on legal documentation in the form of statutory regulations, legal books and various other written sources. As a type of normative legal research, this research used the literature analysis method.

4. RESULTS AND DISCUSSION

PTSL itself is the newest term for the National Agrarian Operations Project (Prona), which is a comprehensive land control process that is carried out in an integrated manner. In principle, this project targets all levels of society, but prioritizes economically weak communities. People who receive information about property regulations (Pokmasdartibna) often do not pay attention to the completeness of participants' documents, so their applications cannot be processed because they do not meet the requirements. Property and building taxes rose, and continued to rise over time, and that is why many Prona members left because the taxes were too high. Due to Prona's failure to speed up property registration, this practice was finally abandoned in 2016 and replaced with a new policy in the form of PTSL (Kamurahan et al., 2018).

Sidomulyo Village, Ampel District, Boyolali Regency was only able to implement the PTSL program in 2020. This is because land and building taxes in Sidomulyo Village in 2019 were only

able to reach 40% of the PBB standard. Citizens' awareness regarding the obligation to pay taxes is still weak, which is also supported by a lack of socialization to citizens about the importance and benefits of paying taxes. Based on data obtained by the author, the implementation of the Sidomulyo Village Complete Systematic Land Registration (PTSL) program activities is as follows:

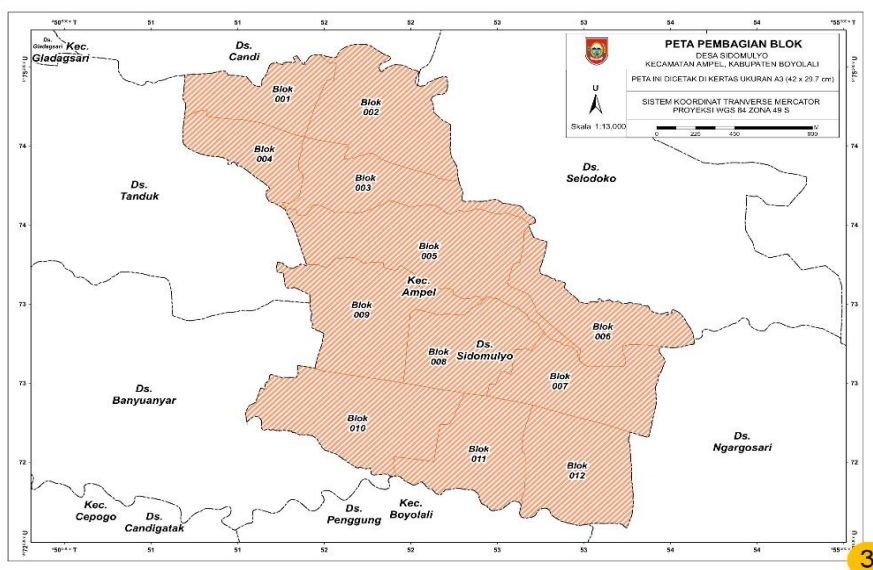
- a. In 2021, there were 398 community members who applied for land certificates through the Complete Systematic Land Registration (PTSL) program and 350 land certificates that could be issued, this happened because the quota for Sidomulyo Village in 2021 was only 350 plots.
- b. In 2022 there will be 48 certificate applications, plus the remainder of 2021 will be 48 certificate applications, bringing the total number of certificate applications in 2022 to 96 applicants.(Sidomulyo, 2020).

For the division of blocks, applicants are divided into 12 (twelve) blocks, the details of which can be seen in the following table(Sidomulyo, 2020):

Table. Distribution of PTSL Submission Blocks

Block	Amount		Information
	Field	Hamlet	
Block 1	29	I, II	
Block 2	31	I, II	
Block 3	42	II, III	
Block 4	18	III, IV, V	
Block 5	5	IV,V	
Block 6	35	IV,V	
Block 7	10	V	
Block 8	39	V	
Block 9	28	V,VI	
Block 10	32	V,VI	
Block 11	14	VI	
Block 12	46	VI	

The location of each block can be seen in the following map image(Sidomulyo, 2020):



Picture. Block Division Map

Source: Village and Subdistrict Information System of Sidomulyo

Obstacles or problems that occurred in the implementation of the Complete Systematic Land Registration (PTSL) program activities in Sidomulyo Village which were carried out both in 2020 and 2021 are as follows:

- a. The location of land parcels is sometimes in places that are difficult to reach.
Sidomulyo Village is a village located at the foot of Mount Merbabu, so the land contours go up and down, and the only road access to the location is a footpath. This obstacle was overcome by scheduling site visits early in the morning
- b. Community awareness of the importance of having a certificate as valid and legally binding evidence.
This problem is influenced by the low level of education of community members, so more intense socialization is needed by utilizing RT, RW, PKK meetings, recitation groups and so on.
- c. There is still a buying and selling process with a mutual trust agreement without proof of purchase.
- d. There are applicants who live outside Sidomulyo Village.
- e. The number of measuring officers is not proportional to the number of plots of land proposed by the applicant.

Registration of land certificates is a series of actions carried out by the government continuously, continuously and regularly, including the collection, processing, bookkeeping and presentation and maintenance of physical and legal information in the form of maps and registers of land and residences, including the issuance of certificates of their rights to the lands they own. has the right and title to the housing units as well as certain rights that encumber them (Ramadhani, 2021).

Basic Agrarian Regulation (UUPA) no. 5 of 1960 regulates in Article 19 that the government is obliged to register land throughout the territory of the Republic of Indonesia and land title certificates are strong evidence of land ownership or land ownership. The fact that there are still many plots of land without certificates is the background for holding a whitening program so that every citizen gets legal certainty regarding their property, namely their land. This land can be obtained from inheritance from parents or family, purchase, or even a gift (Octaviani, 2022)

Management related to PTSL currently only refers to Technical Legislative Regulation Number 35 of 2016 of the Minister of Agriculture and Regional Planning/Head of the National Land Agency of the Republic of Indonesia concerning PTSL Development. This decision was issued on November 4 2016 (State Gazette of the Republic of Indonesia 2016 NUMBER 1693).

When viewed from the legal aspect, the implementation of land certification in the Sidomulyo village area refers to UUPA no. 5 of 1960 which is the most basic legal basis regarding land certification to date, and PP No. 24 of 1997 concerning Land Registration which regulates the process of land registration/certification by government bodies whose task is to record mapping of community land and its ownership status.

The National Land Agency is an institution better known as one of the bodies within the Directorate General of Spatial Planning. They have the task of carrying out the formulation and implementation of policies in the field of spatial planning and space utilization in accordance with the provisions of statutory regulations.

In Boyolali Regency itself the PTSL program has been further regulated in Boyolali Regency Regent Regulation No. 20 of 2022 concerning Financing Preparation for Complete Systematic Land Registration in Boyolali Regency. Article 15 concerning the formation of the PTSL Acceleration Team reads as follows:

- a. In order to achieve the PTSL program on time, on target and free from illegal levies, the Regent formed a PTSL Acceleration Team according to the PTSL location determination from the Land Office.
- b. The PTSL Acceleration Team as intended in paragraph (1) consists of the following elements:
 - 1) Village government;
 - 2) Village community institutions; and/or

- 3) Public figure.
- c. The membership composition of the PTSL Acceleration Team is:
 - 1) the chairman is held by the Village Head;
 - 2) the secretary is held by the Village Secretary; And
 - 3) 3 (three) members are appointed from elements of the Village Apparatus and/or Village community institutions/community figures.
- d. The number of PTSL Acceleration Teams is 5 (five) people in each village. According to Article 16, Boyolali Regency Regency Regulation No. 20 of 2022, the duties of the PTSL Acceleration Team are as follows:
 - 1) assist the PTSL Committee that has been formed by the Head of the Land Office;
 - 2) facilitating the implementation of PTSL program outreach and counseling;
 - 3) facilitate the collection of documents from applicants regarding completeness requirements;
 - 4) check and research the completeness of files; And
 - 5) facilitate and/or assist in the implementation of cadastral field boundary measurements.

Based on the explanation above, it can be said that the process of issuing land certificates in Sidomulyo Village, Ampel District, Boyolali Regency, carried out by the National Land Agency (BPN) of Boyolali Regency, is fairly smooth and controlled. For residents of Sidomulyo Village, the issuance of land deeds functions as legal guarantee for owners of assets in the form of land. So far, the services provided by land office officers in Boyolali Regency to the residents of Sidomulyo village have been tried to be the best. These adequate facilities support the optimization of services to the community who are applicants/potential applicants for the issuance of land certificates. Based on UUPA no. 5 of 1960.

5. CONCLUSION

Program Complete Systematic Land Registration (PTSL) in Boyolali Regency, precisely carried out by the residents of Sidomulyo village, is said to be sufficient to meet the community's need for land deeds/certificates as proof of ownership. Although legally the certificate does not have legal force. Based on the law in force in Indonesia, the issuance of certificates by the Boyolali Regency National Land Agency (BPN) was considered serious and fast. However, there were still obstacles such as a large amount of land, namely around 15,000 lands/assets that have not been registered, so the Boyolali Regency Government was intensifying its whitening program with a target that by 2024, certificates can be issued for all land that has not been registered by BPN. This meant every year, starting from 2023 to 2024 with a target of 5,000 certificates per year.

The government required that registration of Land and the issuance of certificates were one manifestation of the purpose of land registration in question. Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA). Article 19 of the UUPA required the government to register land throughout the territory of the Unitary State of the Republic of Indonesia and a land title deed was strong evidence of control or ownership of land. The implementation of land registration as property rights in the first form as proof of inheritance received through PTSL activities promoted by the Indonesian Government, including in Boyolali Regency, was the Boyolali Regent's Decree No. 20 of 2022 concerning Financing for the Preparation of a Complete Land Registration System in the Boyolali Administrative Area, Government Decree no. 24 of 1997 jo. 18 of 2009 and UUPA no.

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