

Counseling on the Ptsl (Complete Systematic Land Registration) Program in Central Kalijaga Village, Aikmel District, East Lombok Regency

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Abstract

The majority of the people of Central Kalijaga Village work in the agricultural sector, where each head of the family owns/or controls agricultural land with varying areas, ranging from 500 M2 to 2000 M2. Based on data, there are 590 community members with a total area of 117,400 M2 (11.74 Ha). The total area referred to has not yet been registered for rights. Meanwhile, there are only 367 community members who have registered land objects that they obtained by inheritance, gift, will and sale and purchase with a total area of 10,665 M2 (1.0665 Ha). Based on the data, the achievement of land rights registration carried out by members of the Central Kalijaga Village community on land rights objects under their control has only reached 10%. There are still 90% of land rights objects whose rights have not been registered. For this reason, in order to realize guaranteed certainty of land, rights owned by members of the community, including the status of the land, the basis for obtaining land rights, who has rights to the land and third parties who are burdened. In such a situation, public awareness and knowledge will increase about the importance of registering land rights through a complete systematic land registration program (PTSL). The formulation of the problem in this research is 1. How is the PTSL (Complete Systematic Land Registration) Program implemented in Kalijaga Tengah Village, Aikmel District, Regency East Lombok? The aim of this research is to determine the implementation of the PTSL (Complete Systematic Land Registration) Program in Central Kalijaga Village, Aikmel District, East Lombok Regency. This research method uses empirical legal research methods. One of the land registration processes in Indonesia is through the complete systematic land registration program (PTSL).

Keywords: Registration, Land, Kalijaga

A. Background of the problem

Land has a strategic role and function, so it needs to be managed and regulated, directed at realizing land for the greatest prosperity of the people, in line with the land management duties referred to in Article 6 of MPR Decree No. IX of 2001, ordered: "... to carry out land data collection...", which is complete and thorough. The results of land data collection in the form of records on plots of land can be used to formulate policies, carry out regulations, manage land to create prosperity for all people as well as guarantee legal certainty for the interests of land owners.

Land registration is an important and basic activity in land management. For this reason, a number of provisions and policies related to land registration have been issued, but in reality, there are still many land registration problems. The Basic Agrarian Law (UUPA) mandates

that all land be registered to ensure legal certainty over land.

Registration of land rights is a strong means of proof regarding the acquisition (existence), transfer, encumbrance and deletion of rights. Follow-up to the implementation of land registration as mandated by Articles 19, 23, 32 and 38 UUPA with the issuance of Government Regulation Number 10 of 1961 concerning Land Registration (PP 10/1961).

There are two models for land registration based on PP 10/1961, namely Complete Villages and Incomplete Villages. In the first model, the government takes the initiative to determine a village as a Complete Village, so that all plots in the village are measured and certificates are issued for plots that meet the requirements. Due to limited funds, equipment and surveyors, the appointment of a Complete Village is not a priority. In the Incomplete Village

model, the application initiative comes from the owner and a temporary certificate is issued (consisting of a copy of the land book without a map), but based on Minister of Agrarian Regulation Number 6 of 1965, rough measurements are required using a local coordinate system and a picture of the situation is made, to avoid the emergence of a double certificate.

As a result of the government not mainstreaming the Complete Village model registration policy, in more than 30 years of implementing new land registration around 16.3 million hectares have been registered out of around 55 million hectares of land. In an effort to improve the implementation of land registration, the Government replaced PP 10/1961 with Government Regulation Number 24 of 1997 concerning Land Registration (PP 24/1997).

Improving the management of land registration includes the principles of administration, simplifying procedures for data collection, announcements, the use of new technology in measuring and mapping, the use of adjudication institutions, making it possible to record land plots for which data is incomplete, and so on.

The policy for improving the regulations in question is related to land management policies, namely the realization of land for the greatest prosperity of the people as stated in the Vision and Mission of BPN RI (now the Ministry of Agrarian Affairs and Spatial Planning/Head of BPN). To realize this Vision and Mission, this is done through an accelerated land registration program funded by the government, while still providing facilities and infrastructure for self-help incentives and community participation. However, in reality, the land registration acceleration program based on this PP has not yet been able to fully realize the mandate of Article 19 of the UUPA. Based on 2003 data, of around 85 million plots of land including forest and

mining areas, 27,611,526 plots of land were registered (32%).

Under these conditions, BPN then uses various patterns of accelerating land registration such as: Prona, UKM, SMS, Larasita or other special programs (transmigration, agricultural revitalization, accelerated housing development), with a completion target of 2.5 million certificates/year, so that in 20 years all land parcels are registered. Based on the 2014 ATR/BPN Ministry Performance Report, certificates were completed for 1,934,382 fields with a total of 2,709 measuring officers. Assuming a certification capacity of 2 million/year, it will take 18 years to complete the target of all registered land parcels.

However, according to Irawan Sumarto, after 10 years of implementing various accelerated land certification programs, of the total 85 million plots of land, there are around 36 million plots of land that have not been registered. The condition of the land database (registered land parcels) is that 49,335,123 (58.04%) digital land books are available, consisting of: a) the location and shape of 35,167,867 (41.37%) are known; b) the location, form and juridical information of 25,460,115 (29.95%) are known; and c) need to improve the location, form and juridical information as much as 23,875,008 (28.08%). As can be expected, there are many and varied land problems so that legal certainty and protection of land rights has not been created, apart from the fact that land plots have not been registered, even those that have been registered still have problems. The fundamental problem of land issues and the emergence of symptoms of legal uncertainty regarding land ownership is that complete land registration has not been carried out properly and accurately throughout Indonesia.

Problems with land registration have the effect of reducing trust in evidence of ownership in the form of land title certificates. Information via mass

media or the internet regarding fake certificates, "asphalt", overlapping or duplicate certificates is very worrying. The legal certainty of land ownership can still be questioned, even being challenged in court.

Land control is still shrouded in worry because certificates still give rise to many legal problems. Therefore, it is the Government's duty to make legal instruments more complete in accordance with the conditions of society. In order to support economic growth, create legal certainty over land and avoid land conflicts, the Ministry of ATR/BPN carries out a Mapping, Registration and Certification program. Based on the above facts, an accelerated-based land registration implementation policy has been reconstructed with the target of all registered areas through the implementation of Complete Systematic Land Registration (hereinafter referred to as PTSL) which is part of the Nawa Cita program of the President of the Republic of Indonesia (Joko Widodo).

At the practical level, it is found that the policy of accelerating the registration of land rights through the PTSL program is still not effective, there are many factors causing this, one of which is the low level of socialization for the community. This causes a lack of public knowledge of the PTSL program.

The lack of public knowledge of the PTSL program as a result of the low level of socialization carried out by the government is experienced by the people of Central Kalijaga Village, Aikmel District, East Lombok Regency, West Nusa Tenggara Province.

Geographically, Central Kalijaga Village has an area of 1,501 km² or 150.10 Ha, located at Latitude-8.5853720, Longitude 116.5417110, of the area the land use designation is Rice fields covering an area of: 87 Ha, plantations/moorlands covering an area of: 2.21 Ha, residential areas/public

facilities covering an area of: 60.89 Ha.

The majority of the people of Central Kalijaga Village work in the agricultural sector, where each head of the family owns/or controls agricultural land with varying areas, ranging from 500 M² to 2000 M². However, in its implementation there are still many people who do not understand the importance of Land Registration.

Based on the data obtained, the rate of transfer of land rights carried out by the people of Central Kalijaga Village is quite high, namely the transfer is by inheritance, gift, will and sale and purchase. However, there are 590 community members with a total area of 117,400 M² (11.74 Ha). The total area referred to has not yet been registered for rights. Meanwhile, there are only 367 community members who have registered land objects that they obtained by inheritance, gift, will and sale and purchase with a total area of 10,665 M² (1.0665 Ha). Based on this data, the achievement of the implementation of land rights registration carried out by members of the Central Kalijaga Village community regarding the areas of land rights objects under their control has only reached 10%.

For this reason, in order to realize guaranteed certainty of rights to land owned/and/or controlled by members of the community, it is necessary to have land registration which provides a sense of security. In the sense of security, there is certainty regarding the land owned, including the status of the land, who owns the land and third parties who burden it as well as legal actions and events regarding land control.

On the contrary, the lack of public knowledge and understanding of the importance of land registration results in various land rights issues in the future, including: the emergence of various conflicts, inequality in the structure of land control or ownership and weak legal guarantees regarding land ownership and

use. If this is not handled quickly, it can result in disputes regarding plantation land, overlapping boundaries, exchange of land, confiscation of community land in conflicts or disputes and so on.

Referring to the things above, the importance of land registration means that it is a series of activities carried out by the government continuously, sustainably and regularly, including collecting, processing, bookkeeping, and presenting and maintaining physical data and data, in the form of maps and lists. regarding plots of land.

Boedi Harsono explained further the meaning above that, "the words a series of activities indicate the existence of various activities in the implementation of land registration, which are related to one another successively into a series which leads to the availability of the data required in order to guarantee legal certainty in land sector for the people."

This is related to the Complete Systematic Land Registration Program (PTSL), which is an accelerated land registration program carried out by the government which has substantial benefits for society, including legal certainty and legal protection by providing a sense of security and guarantee of legal certainty regarding subjects, objects and rights to land. Then minimize land conflicts such as illegal occupation, boundary marking disputes and so on. Apart from that, PTSL is also useful for encouraging financial inclusion and as a living asset (bankable) so that access to capital is easier.

In connection with the essence, benefits and objectives of the PTSL program which is linked to the large number of community-owned lands in Central Kalijaga Village, Aikmel District, East Lombok Regency, West Nusa Tenggara Province whose rights have not been registered, which is followed by many legal issues (claims) for ownership of rights to If land occurs, it is important to carry out preventive efforts, namely in the form of outreach activities regarding

the importance of registering land rights through the PTSL program in Central Kalijaga Village, Aikmel District, East Lombok Regency, West Nusa Tenggara Province.

B. Formulation of the problem

How is the PTSL (Complete Systematic Land Registration) Program implemented in Kalijaga Tengah Village, Aikmel District, East Lombok Regency?

C. Research method

The research method used in this research is an empirical legal research method. The empirical legal research method is a research method that prioritizes primary data. The primary data in this research comes directly from the community. The technique for applying empirical legal research methods in this research is by means of interviews.

D. Discussion

Community Service with the title Ptsl (Complete Systematic Land Registration) Program Counseling in Central Kalijaga Village, Aikmel District, East Lombok Regency was carried out on Monday 29 May 2023 at the Central Kalijaga Village Meeting Hall from 09.30 to 13.30 Central Indonesia Time (WITA) . This activity was attended by more than 25 people and the officially disabled were 25 people who filled in the absences. This activity was also attended by the Head of Central Kalijaga Village, the Secretary of Central Kalijaga Village, all employees of Central Kalijaga Village, Babinsa, Babinkamtibmas. This activity began with remarks from the Head of Central Kalijaga Village, Secretary of Central Kalijaga Village, Babinsa, Babinkamtibmas. After the welcoming activity, the material was presented. The first material with the theme The Urgency of Land Rights Registration was delivered by Mr. Allan Mustafa Umami, SH., M.Kn. Then the second material with the theme System and procedures for Land Registration through the Complete Systematic Land Registration Program (PTSL) was delivered by Mr. Fatria Hikmatiar

Alqindy, SH., M.Kn and Mrs. Hera Alvina Satriawan, SH., MH. Then the third material with the theme of resolving land disputes was delivered by Mr Wayudin, SH., MH.

The Systematic Land Registration Program (PTSL) in Kalijaga Village in 2023 cannot yet be implemented due to the lack of the minimum population required by the government. It should be understood that PTSL is a systematic land registration program which is an initiative of the government. Regulations related to systematic land registration are regulated in Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats and Land Registration. Before this regulation was formed, there was Government Regulation Number 24 of 1997 concerning Land Registration. These two regulations complement each other to regulate how land rights are registered. According to Article 103 of Government Regulation Number 18 of 2021, it is stated that Government Regulation Number 24 of 1997 is still valid as long as it does not conflict with Government Regulation Number 18 of 2021.

The people of Kalijaga Village hope to be able to register their land. At first, people did not know that by registering land there would be legal certainty. The community will also get several benefits from land registration, namely:

1. Avoid land dispute problems
2. Land that has been registered can be used as collateral for debts at banking institutions and financing institutions.
3. The sale value of the land is stable and profitable for the owner

Land registration is very important to avoid land disputes. Land disputes in the Central Kalijaga Village community are:

1. Mutual recognition of land between residents due to unclear land boundaries.
2. There is land owned by residents that has not been registered and is always

used as an access road by the community.

Land that has not been registered is difficult to use as collateral for debts in financial and banking institutions because of the precautionary principle. In banking institutions, for example, there is a credit analysis that the bank will carry out based on the 5 Cs, namely:

1. Character
2. Capacity
3. Capital
4. Collateral
5. Condition

It is difficult for land that has not been registered to meet the requirements of the bank above because property law in Indonesia regulates that ownership of non-permanent objects in the form of land is based on formal and material ownership. Formally, the owner must be recorded in the certificate as the basis for ownership. According to Government Regulation Number 18 of 2021, a certificate is the strongest proof of ownership.

Land registration produces a certificate as proof of ownership. Land registration in Indonesia is known in 2 (two) ways, namely sporadic land registration and systematic land registration. Systematic land registration is highly expected by the people of Kalijaga Village because it is felt to be more efficient. Systematic land registration is a government program that is low cost because it is subsidized by the government program. It's just that the conditions and time for this program to be held cannot yet be confirmed. As a result, people cannot participate in this program at any time. In contrast to systematic land registration, sporadic land registration is an independent initiative from the community.

Sporadic land registration has quite significant differences in procedures and requirements from systematic land registration. Sporadic land registration is funded by the community itself and has a longer time span. Prior to the enactment of Government Regulation Number 18 of

2021 concerning Management Rights, Land Rights, Flats and Land Registration, the time for announcements for systematic registration was 30 days, while for sporadic land registration it was 60 days. Since being updated with Government Regulation Number 18 of 2021, land registration announcements have become shorter. Based on Article 88 paragraph (1) Government Regulation Number 18 of 2021 Announcement of the results of physical data and juridical data collection:

1. in systematic Land Registration carried out for 14 (fourteen) calendar days;
2. in Land Registration sporadically for 30 (thirty) calendar days.

This means that the first land registration process will be shorter in the future. The positive impact is that it will be easier for people who have good intentions to apply for a certificate.

Land Dispute in Central Kalijaga Village

Legal counseling participants in Central Kalijaga Village said that there were problems related to access to residents' land which was used as a public road by the community. Ownership of land rights in Law Number 5 of 1960 concerning Basic Agrarian Principles (UUPA) states that it has a social function. Based on Article 6 of the UUPA, it is stated that land rights have a social function. The social function here includes providing road access for the community. No land should be allowed to block the only road access. This means that there must be a discussion regarding the use of road access, for example with government programs for land acquisition for public purposes or paying for road access privately to land owners.

Land disputes can occur if land is continuously left without proof of ownership. The strongest proof of land ownership is a land title certificate. Future heirs will be protected if there is a certificate. The process of making a certificate has been clearly regulated in

Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Government Regulation Number 18 of 2021 with a process of measuring, satellite mapping and setting boundaries that are known to the parties and assisted by the National Land Agency, the Village Head. Potential disputes will be eliminated because the process is closely monitored together.

Systematic Land Registration Mechanism

Systematic land registration is not completely free. Funding regarding taxation and management remains costly. The required costs are determined based on the Joint Decree of the Minister of ATR/BPN, the Minister of Home Affairs, and the Minister of PDPTT). In the SKB, it can be seen that the maximum PTSL fee limit is determined based on each region, ranging from IDR 150-450 thousand. The following is a breakdown of PTSL fees based on each regional category:

1. Category I (Papua Province, West Papua Province, Maluku Province, North Maluku Province and East Nusa Tenggara Province) is IDR 450,000.
2. Category II (Riau Islands Province, Bangka Belitung Province, Central Sulawesi Province, North Sulawesi Province, Southeast Sulawesi Province, West Nusa Tenggara Province) amounting to IDR 350,000.
3. Category III (Gorontalo Province, West Sulawesi Province, South Sulawesi Province, Central Kalimantan Province, West Kalimantan Province, North Sumatra Province, Aceh Province, West Sumatra Province, East Kalimantan Province) amounting to IDR 250,000.
4. Category IV (Riau Province, Jambi Province, South Sumatra Province, Lampung Province, Bengkulu Province, South Kalimantan Province) amounting to IDR 200,000.
5. Category V (Java and Bali) is IDR 150,000.

These costs are used to finance three village government activities in

preparation for the implementation of PTSL.

Based on the Technical Instructions for Complete Systematic Land Registration Number 1/juknis-100.HK.02.01/I/2021 dated January 4 2021, the location for the PTSL program is determined as follows:

Location Determination

1. Priority for Determining Locations

based on Land Data Conditions

PTSL Location Determination:

- a. Locations where the percentage of registered land plots is still relatively low;
- b. Prioritize Villages/Kelurahan that have potential land plots that have been previously mapped (K3 Products for 2017 and 2018, as well as K3.1 and K3.3 products for 2019 and 2020) as PTSL 2021 locations;
- c. Village/Kelurahan locations that are designated as PTSL locations for 2021 and will be attempted next year are villages/subdistricts that border villages/subdistricts in the previous year that already had NDJ but had not yet reached 100%.

PTKL Location Determination:

- a. Location determination is carried out on a village/subdistrict basis sporadically;
- b. Prioritize the achievement of villages by neighboring villages towards a complete village;
- c. Determination of PTKL locations including Cross-Sector objects, Cooperation Agreements or others.

Location Determination Procedure

1. The Land Office submits an application for PTSL or PTKL Location Determination by attaching:
 - a. planning stage output;
 - b. Village/Kelurahan administrative boundaries depicted in the proposed Indicative or definitive Village Administrative Boundary

Location Determination can be obtained from various sources (Geospatial Information Agency, Ministry of Home Affairs, Regional Development Planning Agency, Village Government, etc.) or via the link in the attachment.

2. The Head of the Regional Office of the National Land Agency examines and gives approval in accordance with these Technical Instructions and the PTSL completion Roadmap until 2024 using a form that can be downloaded at the following link: <https://bit.ly/FormJuknisPTSL2021>
3. After obtaining approval from the Head of the Regional Office of the National Land Agency, the Head of the Land Office determines the location of PTSL and PTKL by attaching a location map.
4. Villages/Subdistricts determined in the 2021 Location Determination must be completed until the Village/Subdistrict is complete. Location determination must follow the formula for the maximum number of villages for location determination = $N+1$, where N is the complete target number of villages/subdistricts according to the type of financing.
5. Efforts are made to determine the location using a "closer, closer and comprehensive" strategy with the concept of moving target location which is adapted to the readiness of village officials, community groups and the community or related parties in active participation.
6. In locations where the SHAT target is greater than the PBT target, an evaluation of SHAT realization achievements is carried out at the end of the first quarter (February) and the end of the second quarter (June), if the SHAT target achievement is not met, then a revision of the SHAT target shift between work units in one province or shifting SHAT targets by the Center between provinces.

7. The Land Office can add targets for PBT, K4 and/or settlement of village administrative boundaries, through collaboration with the Village Government, Local Regional Government and other related parties.

E. CLOSING

1. Conclusion

Based on the results of community service activities that have been carried out, it can be said that these activities ran smoothly according to the planned schedule and were successful. The training participants were very enthusiastic and enthusiastic about providing outreach because registering land rights would be very significant in protecting the community from disputes in the future and could also improve the community's economy by making it easier for the community to manage the land rights. With the presentations from the presenters, the participants increasingly understood the procedures for registering their land rights and the community was greatly helped by this outreach event.

2. Suggestion

There are several things that can be used as recommendations or suggestions from the results of this activity, namely: (1) Legal education activities should be routinely carried out by the Central Kalijaga Village government, especially regarding land so that in the future the community will better understand and carry out land registration so that orderly registration can be implemented immediately. land in Central Kalijaga Village; (2) intensive assistance and cooperation of all parties is needed so that people who still do not understand the importance of land registration and the PTSL land registration mechanism can carry out recommendations regarding registration of land rights; (3) there is sustainable cooperation in helping the community to register their land rights.

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