

The Regency Government's Efforts in the Complete Systematic Land Registration Program

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Abstract. *The speed of Complete Systematic Land Registration Program (PTSL) prioritizes the smooth running of the process, but without neglecting the precision and thoroughness, prudence and accuracy in handling it. This study aims to: 1) Know and analyze the efforts of the Jepara Regency Government in the Complete Systematic Land Registration program at the Jepara Regency Land Office 2) Know and analyze the obstacles faced by the Jepara Regency Government in carrying out the Complete Systematic Land Registration program at the Jepara Regency Land Office 3) Know and analyze how to overcome these obstacles in the implementation of the Complete Systematic Land Registration program at the Jepara District Land Office. The legal research used is an empirical legal research approach. The specification of the research used is analytical descriptive in nature, namely research that describes legal phenomena, describes in a factual and accurate systematic manner the government's efforts to realize a certified land program for the people in the work area of the Jepara Regency Land Office and provides an assessment of the results of the description without intending to provide conclusions that are general. The results of the research and discussion show that the Jepara Regency Government's efforts in the Complete Systematic Land Registration program at the Jepara Regency Land Office are by carrying out the Complete Certificate Land Registration (PTSL) program in every sub-district in Jepara Regency.*

Keywords : *Effort; Government; Systematic.*

1. Introduction

Soil is one of the most important elements in the process of life and livelihood of living things on earth, especially for humans. Throughout history, the number of land parcels has been very limited, while the human need for land has continued to grow. Land in the juridical sense is the surface of the earth.¹The definition of land can be found in Article 4 paragraph (1) of Law Number 5 of 1960 concerning Basic Agrarian Regulations.

The just use of land in the Unitary State of the Republic of Indonesia is the duty of the government, so that the government has an interest in regulating and issuing policies in the agrarian sector, especially land. This is in accordance with the provisions of Article 28H paragraph (4) of the 1945 UUDNRI which states that everyone has the right to have personal property rights and these property rights cannot be taken over arbitrarily by anyone.

Since 1960 until now, there are still many people's lands that have not been protected administratively. This shows that there are still many people's lands that do not have certificates of land rights, both ownership rights and other land rights. Based on data in the field, it is known that until 2014, there were 126 million plots of land that had not been nationally certified, while the development of certified land had only reached 500 thousand plots of land per year.²

The government through the Minister of Agrarian Affairs, since 2016 has issued Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of BPN Number 28 of 2016 concerning Acceleration of the National Agrarian Program through Systematic Land Registration. The National Agrarian Program, hereinafter abbreviated as PRONA, has the meaning of a program to accelerate the determination of land rights and registration of community lands which is carried out systematically and continuously village by village throughout the territory of the Republic of Indonesia, in accordance with the development strategy from the periphery. In its development, to realize the goal of accelerating complete land registration throughout the Republic of Indonesia it is

¹Boedi Harsono, 2003, *Agrarian Law, History of Formation of the Basic Agrarian Law, Content and Implementation*, Volume 1 of National Land Law, Djatangan, Jakarta, p. 18.

²<https://nasional.kontan.co.id/news/juang-november-2019-sebanyak-8,5-juta-dinding-tanah-telah-menerima-sertipikat>, Sunday 24 November 2019, 13:31 WIB, accessed on 15 October 2021.

felt that it has not regulated the use of professional staff and the survey and mapping industry.

The Complete Systematic Land Registration is one of the priority national asset legalization programs set by the Government. The government through the Minister of Agrarian Affairs, then issued the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 12 of 2017 which was amended by the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning the Acceleration of Systematic Land Registration Complete. Since 2017, the registration of land parcels in Indonesia has increased 10 times, until November 2019 it reached 8.5 million certificates.³

In Jepara Regency itself which is the work area of the National Land Agency of the Jepara Regency Land Office, there are still 36 uncertified plots of land left. 5,000 plots of land out of 661,000 land plots in the Jepara Regency area, while 296,000 land plots have been certified.⁴

2. Research Methods

This research uses an empirical legal research approach.⁵ legal research based on field research associated with laws and regulations⁶ and the government's efforts to realize a certified land program for the people in the working area of the Jepara District Land Office. The specification of the research used is analytical descriptive in nature, namely research intended for humans, other conditions/symptoms,⁷ describe legal symptoms, describe in a factual systematic manner and provide an assessment of the results of the description without intending to provide general conclusions. The types and data used in this study are divided into two, namely primary data as main data and secondary data as supporting data. Data collection techniques used in this research include field research or interviews and literature studies. Data analysis was performed using qualitative analysis methods.

³<https://nasional.kontan.co.id/news/juang-november-2019-sebanyak-8,5-juta-dinding-tanah-telah-menerima-sertipikat>, Sunday 24 November 2019, 13:31 WIB, accessed on 15 October 2021.

⁴<https://jepara.go.id>, There are still 365 thousand parcels of uncertified land, 1/20/2020, accessed on 15 October 2021.

⁵*ibid*,

⁶Soerjono Soekanto and Sri Mamudji, 2001, Normative Legal Research a Brief Overview, Radja Grafindo Persada, Jakarta, p. 11.

⁷Bambang Sunggono, 1997, Legal Research Methodology, Rajawali Press, Jakarta, p. 36.

3. Results and Discussion

3.1. Jepara Regency Government's Efforts in the Systematic Land Registration Program

The Jepara Regency Government through the Jepara Regency Land Office, since 2017 has been preparing for the implementation of the Complete Certificate Land Registration (PTSL) program. Registration of Complete Land Certificates (PTSL) in Jepara Regency is being carried out in stages. Based on the research results, it can be explained that the stages of complete systematic land registration in Jepara Regency are as follows:⁸

a. Planning Stage

The planning stage is the initial stage in the implementation of Complete Systematic Land Registration. In accordance with the provisions of Article 5 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, the implementation of Complete Systematic Land Registration can be carried out through PTSL activities, or a combination of PTSL activities with other programs and/or activities, that is:

- 1) Cross Sector Certification Program
- 2) Community self-help mass certification program
- 3) Programs or activities for mass certification of land redistribution for land reform, land consolidation and transmigration objects
- 4) Other mass certification programs or activities, or a combination of several/all activities in accordance with the provisions of laws and regulations.

b. Location determination stage

In accordance with the provisions of Article 7 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land

⁸Interview, Cahyo Budiarmo, Kadastra of the Jepara District Land Office, April 1, 2022.

Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, the Head of the Semarang City Land Office determines the location of the Complete Systematic Land Registration activity in his working area.

c. Preparation phase

The preparatory stage is regulated in the provisions of Article 9 and Article 10 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration. It is stated in the provisions of Article 9 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, that the Head of the Land Office makes preparations for the implementation of PTSL activities by preparing:

- 1) Facilities and infrastructure for implementing PTSL activities
- 2) Human Resources
- 3) Transportation needs
- 4) Coordination with other government agencies
- 5) Budget allocation.

d. Stage Formation and determination of the PTSL adjudication committee and task force

The Head of the Jepara District Land Office is establishing and establishing a Complete Systematic Land Registration Adjudication Committee. This is confirmed in the provisions of Article 11 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration which states that the Head of the Land Office forms and establishes a PTSL Adjudication Committee and a task force, which is stated in the form of a decision.

e. Counseling Stage

According to the provisions of Article 16 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, counseling is carried out by the Head of the Land Office and the PTSL Adjudication Committee, the Physical Task Force and the Juridical Task Force.

f. Physical data collection stage and juridical data collection

Physical data collection is carried out through measurement and mapping activities which include:⁹

- 1) Making a base map for registration
- 2) Determination of boundaries of land parcels
- 3) Measuring and mapping of land parcels and making registration maps
- 4) Making a land register and making measurement letters.

g. Research stage of juridical data for proving rights

The stages of research on juridical data are carried out to ensure that the information contained in the physical data and juridical data is in accordance with the conditions in the field, which is done by:¹⁰

- 1) Explore information regarding the suitability of the names and professions of PTSL Adjudication participants.
- 2) Comparing the conformity between the information contained in the inventory form and the juridical documents/data with the conditions of control and use of the land, as well as the suitability of the location, boundaries and area contained in the physical data, namely Land Plot Maps, and other physical data if necessary, with the reality in the field.

h. Stage Announcement of physical data and juridical data and their approval

⁹Interview, Secretary of the Adjudication Committee for PTSL

¹⁰Interview, Triyono, Head of Survey and Mapping of the Jepara Regency Land Office, May 6 2022.

It is stated in the provisions of Article 24 paragraph (2) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, that in order to comply with the principle of publicity in proving land ownership, juridical data and physical data on land parcels and maps of land parcels are announced using the Notice of Physical Data and Juridical Data (DI 201B) form for 14 (fourteen) calendar days at the PTSL Adjudication Committee Office and Village Head Office.

i. Stage Confirmation of conversion, recognition of rights and grant of rights

According to the provisions of Article 26 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, in the event that land parcels with physical data and juridical data meet the requirements for the issuance of Certificates of Land Rights (Cluster 1), then based on Minutes of Ratification of Physical Data and Juridical Data.

j. Bookkeeping stage of rights

According to Article 28 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, after confirmation of Conversion and Recognition of rights and Stipulation of Decision on Granting of Rights, property rights, use rights are recorded buildings, usufructuary rights and/or endowments in the relevant land book.

k. Stage Issuance of certificates of land rights

Based on the provisions of Article 31 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, Property Rights, Building Use Rights, Use Rights and *Waqf* that have been registered in the land book and fulfill the requirement to be given proof of rights, is issued a certificate of land rights.

l. Documentation stage and submission of activity results

The stage of documenting and submitting the results of activities is regulated in the provisions of Article 36 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, according to the provisions of Article 36 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head National Land Agency of the Republic of Indonesia Number 6 of 2018 Concerning Complete Systematic Land Registration, the PTSL Adjudication Committee collects, classifies, processes and stores PTSL data.

m. Reporting Stage

Reporting on the implementation of PTSL activities according to Article 39 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 Concerning Complete Systematic Land Registration, carried out when:

- 1) Problems occur in the implementation of PTSL activities;
- 2) PTSL has been completed.

Based on the results of the research, it shows that there are 661,000 plots of land in the Jepara Regency area.¹¹As of early 2021, 308,608 land parcels had not been certified, while 352,492 land parcels had been certified.¹²

At the end of 2021, there was an addition of certified land, namely 31,365 plots with details of 6,092 plots being non-prona/PTSL certificates, 25,121 plots being pronas/PTSL certificates and 152 fields being *Waqf* certificates.¹³To find out in detail the certificates that have been completed by the Jepara Regency Land Office during 2021 can be seen in the following table:

Table

Completion and Delivery of the Certificate to the Applicant by the Jepara District Land Office Year 2021

¹¹<https://jepara.go.id>, There are still 365 thousand parcels of uncertified land, 1/20/2020, accessed on 15 October 2021.

¹²Interview, Cahyo Budiarto, Kadastra of the Jepara District Land Office, April 1, 2022.

¹³Central Bureau of Statistics, 2022, Jepara Regency in Figures for 2022, BPS Jepara Regency, Jepara, p. 45.

No	District area	Certificate Type		
		Non Prona/PTSL	Prona/PTSL	Waqf
1	Kedung	181	2,416	3
2	Pecangan	627	3,614	2
3	Kalinyamatan	290	2.102	16
4	Welah	207	1619	5
5	Mayong	893	1958	49
6	Nalumsari	141	3,770	7
7	Batalite	301	1,437	14
8	Annual	723	2,417	11
9	Jepara	734	-	13
10	Please	414	391	10
11	Pakis aji	387	866	2
12	Bangsri	461	-	12
13	flower	297	-	3
14	Keeling	185	3,249	3
15	Donorojo	214	1,282	2
16	Karimunjava	37		
Amount		6,092	25,121	152
Total		31,365		

Source: Jepara District Land Office Year 2022

Based on the table above, it can be seen that during 2021, the Jepara District Land Office has completed and issued certificates in a total of 31,365 fields spread across 16 (sixteen) sub-districts.

Complete Certificate Land Registration (PTSL) is one of two registration systems known in national agrarian law, namely the systematic system through PRONA/PTSL and the sporadic system.

3.2. Obstacles Faced by the Government of Jepara Regency

Obstacles faced by the Jepara Regency government in implementing certified land for the people at the Jepara Regency Land Office, namely:¹⁴

- a. Limited human resources in the Jepara District Land Office

The human resources in the Jepara District Land Office are very limited, while the workload that must be completed is very large. The volume of work that is not proportional to the number of human resources owned causes the implementation process of Complete Systematic Land Registration (PTSL) to be hampered.

- b. Slow collection of data and documents by community members

Residents of the community whose territory is the location of the Complete Systematic Land Registration program are not or are not ready with the data and documents needed to arrange a Complete Systematic Land Registration.

- c. There has been a Covid-19 Pandemic since 2020

The Covid-19 pandemic that hit the world including Indonesia in early 2020, has hampered the implementation of the Complete Systematic Land Registration (PTSL) program at the Jepara District Land Office.

3.3. Ways to Overcome Obstacles in the Implementation of a Complete Systematic Land Registration Program at the Jepara District Land Office

To overcome obstacles, the Jepara District Land Office has made the following efforts:

- a. Regarding the limited human resources in the Jepara District Land Office

¹⁴Interview, Cahyo Budiarto, Kadastra of the Jepara District Land Office, April 1, 2022.

The Jepara District Land Office seeks to optimize existing resources so that the target of achieving Complete Systematic Land Registration each year can be achieved according to the program, at least reaching 90% of the registered areas.

b. Regarding the slow collection of data and documents by members of the public

The PTSL Adjudication Committee, assisted by village officials and local RW and RT administrators, continues to carry out counseling, outreach and persuasion measures so that community members who take part in the Complete Systematic Land Registration program immediately complete the data and document requirements needed so that they do not hinder the implementation of the Complete Systematic Land Registration program has been scheduled according to government policies and the Land Office. If it is still not completed, then the application for land registration through the Complete Systematic Land Registration program will not be entertained.

c. Against the Covid-19 Pandemic since 2020

The Jepara District Land Office continues to run the Complete Certificate Land Registration (PTSL) program, but by lowering the achievement targets and setting target areas that are deemed very necessary to immediately implement the Complete Certificate Land Registration (PTSL) program while still following the health protocol set by the government.

4. Conclusion

The Jepara Regency Government has made efforts to realize a certified land program for the people at the Jepara Regency Land Office by implementing a Complete Certificate Land Registration (PTSL) program in every sub-district in Jepara Regency. The implementation of the Complete Certificate Land Registration (PTSL) program in Jepara Regency is carried out in stages. During the last 3 years, of the target of certifying 137,800 land parcels, only 79,708 land parcels have been certified. In 2019 there were 35,031 plots of land with certificates out of the 56,000 planned plots, while in 2020 there were 19,556 land parcels with certificates out of the 19,800 planned land plots. In 2021 there are as many as 25. 121 plots of land that have been certified from the planned 62,000 land plots. Obstacles faced by the Jepara Regency Government in implementing certified land for the people at the Jepara Regency Land Office, namely: a) Limited human resources at the Jepara Regency Land Office, b) Slow collection of data and documents by community members, c) The existence of the Covid-19 Pandemic since 2020.

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