

Juridical Analysis of Multiple Issuance of Non-Dispute Statements by the Previous Village Head and Current Village Head against Different Applicants for Applications for Land Rights

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Abstract. *The practice of persons who are not responsible for Issuing multiple Statements of No Dispute issued by Village Office Officials which can harm materially and non-materially to land rights holders. This study aims to analyze juridically the issuance of multiple Non-Dispute Statements made by Village Heads who have different terms of office, the mechanism for applying for land ownership rights in the City of Semarang. The research approach method used in this thesis is to use the sociological juridical legal research method. The specifications of this research are using descriptive analysis. The type of data used in this study is primary data which includes The 1945 Constitution, the Basic Agrarian Act No. 5 of 1960, Government Regulation Number 24 of 1997, as well as secondary data containing books and supporting documents or library materials. The data analysis method used in analyzing the data is a qualitative analysis of the interaction model as proposed by Miles and Huberman. The results of the study show that: First, Issuance of a Statement of No Dispute has a procedure for challenging provisions, requirements that must be carried out from the time the applicant's application is submitted until the issuance of a Statement of No Dispute which gets approval from the Village Head and District Head. Second, legal protection for the aggrieved party from the issuance of multiple non-dispute statements.*

Keywords: Letter; Dispute; Statement; Village.

1. Introduction

Land is an asset for every human being to carry out life in the world. The importance of land for human life is because humans cannot be separated from land at all. They live on the ground and obtain food by utilizing the land. The history of development and destruction is also determined by land, land issues can lead to disputes and devastating wars because humans or a nation want to control the land of another person or nation because of the natural resources contained therein.¹

Land for our society has a multi-dimensional meaning. First, from an economic point of view, land is a means of production that can bring prosperity. Second, politically land can determine a person's position in community decision-making. Third, culturally, land can determine the level of sacred because it deals with inheritance and transcendental issues.²

In order to achieve the aspirations of the nation and state, for the allotment, use and supply of earth, water and space for the various interests of the life of the people and the state, it is necessary to have a plan, namely a general plan (national planning) which covers the entire territory of Indonesia which is then broken down into special plans (regional planning) from each region.³

Land is a gift from God Almighty, on the basis of the right to control from the state, it is the obligation of the government to carry out land registration throughout the territory of the Republic of Indonesia according to the Basic Agrarian Law which is religious individualistic communalism, besides aiming to protect land it also regulates legal relations of land rights through delivery of the certificate as proof of land rights to the holder.⁴

The registration of land rights or the granting of land rights to all subject rights is also given the authority to use the land according to its designation. Thus a guarantee of legal certainty will be created for the subject of the right in the

¹G. Kartasapoetra, et al, 1991, *Land Law Assurance for Successful Land Utilization*, PT Rineka Cipta, Jakarta, p. 1.

²Brahmana Adhie & Hasan Basri Nata Manggala (Editor), 2002, *Land Reform, Empowerment of Land Rights Viewed from Legal, Social, Political, Economic, Defense, Technical, Religious and Cultural Aspects*, Mandar Maju Publisher, Bandung, page 99.

³Wayan Suandra, 1991, *Indonesian Land Law*, Rineka Cipta, Jakarta, p. 4.

⁴S. Chandra, 2003, *Certificate of Ownership of Land Rights Application Requirements at the Land Office, Grasindo, Jakarta*, p. 3.

ownership and use of the land in question. Furthermore, Articles 23, 32 and 38 of the Basic Agrarian Law also require the right holders concerned to register their land in order to obtain legal certainty.⁵

2. Research Methods

This study used the qualitative research with literature study. The research specifications used are analytical descriptive in nature, namely to obtain a comprehensive and systematic picture of the policies.

3. Results and Discussion

3.1. Juridical Analysis of Multiple Issuance of Statements of No Dispute by the previous Village Head and the current Village Head mechanism in the effort to apply for Land Ownership Rights in the City of Semarang

The risk for land that has not been registered with the Land Office is that there is a lot of interference from third parties. For example, there is often land grabbing that has not been registered. The factor of occurrence allows the owner of the land not to have sufficient legal rights to the land he owns. Land cases that often occur when viewed from the conflict of interest of the disputing parties include:⁶

1. The people face the bureaucracy.
2. The people are dealing with state companies.
3. People are dealing with private companies.
4. Conflict between people.

The current practice is that it is not uncommon for certificates to be issued in the same area or are called (overlapping) certificates and this creates legal uncertainty for land rights holders. Check back before the occurrence of overlapping disputes or overlapping certificates. Before filing an application for rights, the application must be proven with evidence of land ownership documents, with the availability of juridical data and physical data. One of the juridical data is the issuance of a non-dispute statement issued by the Village Office. One of the procedures required for completeness of documents in the process of applying for rights or certificates. procedures for one of the requirements for issuing a statement of no dispute, including:

⁵M. Yamin Lubis and Abd. Rahim, 2008, Land Registration Law, Mandar Maju, Bandung, p.5.

⁶Maria SW Sumardjono, 2005, Land Policy, Between Regulation and Implementation, Kompas, Jakarta, p. 182

1. Introduction from RT and RW
2. Photocopy of certificate of payment of SPPT-PBB for the current year.
3. Photocopy of the applicant's KTP
4. Photocopy of proof of land ownership (shown its authenticity)
5. Statement of No Dispute known by 2 witnesses, namely the head of the RT and the head of the local RW.
6. Non-Dispute Application Letter.

As is the case with one of the many land cases that occurred in the city of Semarang, such as the issuance of a statement of non-dispute, in which there had been two or multiple issuances issued by the Village Office Office located in Jabungan Village, Jabungan Subdistrict, District Temban. In this case the issuance of the Statement of Non-Dispute has been issued twice, carried out by unscrupulous staff or Village/Kelurahan heads during their term of office, and requested by different applicants. On the findings of the issuance of this double Statement of No Dispute, the new applicant has been harmed or the last one,

Beginning with a sale and purchase transaction of a plot of agricultural land on the basis of Village Letter C rights. The transaction is bridged through a land intermediary (land broker). Tracing the origin of this case occurred because it started with the desire of the applicant or the second buying party to register the application for land rights through Sporadic Registration. After fulfilling all the documents for the application for rights that are at the National Land Office, henceforth, plotting is carried out to the National Land Agency to ensure the correctness of the land parcels to be measured for land parcels for the application for rights, accompanied by the applicant, the plotting staff of the National Land Agency and intermediaries (land brokers), but after conducting the results of the plotting it was found that the plot of land was hampered by the identification number of the certificate field which was suspected to belong to someone else.

After the results of plotting findings carried out by the National Land Agency, it was considered that the plot of land was allegedly certified. With the identification number of the plot where the land parcel is indicated. Then the applicant asks for information from land brokers and Village Office officials to verify the truth of whether the applicant's documents are correct with the designated area or not. Because the Village Office has a copy of the holder's data on the basis of the Village Letter C rights according to the acknowledgment of staff and the Head of the village/Lurah regarding the land parcel in question by matching the data in the books of the Village Office, after matching, it was

confirmed that the documents and land plots were the same as the village or sub-district office land books and it was found that the land parcels had already been certified to the party on behalf of the name stated on the certificate of the land parcel master number that appeared on the plot results. The Village Head denied the issuance of multiple Non-Dispute Statement Letters. The Village Head advises the applicant to revoke the application for rights at the Land Office and resolve the issue through deliberation.

A certificate of land tenure issued by the Village Head which is legalized by the District Head based on Article 7 paragraph (2), and Article 39 of Government Regulation Number 24 of 1997 concerning Land Registration, is categorized as a basis for rights submitted as a completeness of the requirements for land rights applications, by Therefore, if an error occurs or there is a legal defect in the issuance of the said right, it will result in the issuance of the certificate being canceled or invalid due to an error in the procedure for issuing the certificate.

Even though a land certificate is written private evidence whose proof is not as strong as an authentic deed, a land certificate can be categorized as evidence of juridical data on land which is made a requirement for completeness of land rights applications. In the Circular of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 1756/15.1/IV/2016 concerning instructions for implementing community land registration, the circular letter aims to guarantee legal certainty over community land rights and to improve community welfare through land registration.⁷

The Ombudsman of the Republic of Indonesia, has also conducted a number of studies to prevent potential maladministration and its causal elements, which can be carried out, among others:

1. Storage of procedures by compiling and having SOPs as technical guides in the implementation of Certificate of Non-Dispute services and Certificate of Land Ownership by the Village Office as a follow-up to Semarang Mayor Regulation Number 50 of 2016 concerning Village Service Information Standards in Semarang City.

⁷Circular of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 1756/15.1/IV/2016 concerning instructions for implementing community land registration

2. The delay continues, it is anticipated that there will be a time limit for the administration of the Non-Dispute Certificate and Certificate of Land Ownership by the Village Office.

3. Abuse of authority is minimized by coaching the Village Head and Sub-District Head by the Mayor of Semarang to Village Head and Sub-District Head who ask for different requirements in the process of administering the Certificate of No Dispute and Certificate of Land Ownership by the Village Office.⁸

The increasing number of people who are not proportional to the amount of land, makes a small number of people try to acquire land illegally or illegality. Crime cases involving land objects are still common, for example, fraudulent buying and selling of fictitious land, using or pledging fictitious land to banks, falsifying land certificates or land documents, duplicating land certificates to the mafia or land crime syndicates, and there is also the issue of inherited land. Many also earn by means of land grabbing or confiscation, this has led to many practices of land speculators, land brokers and even widespread issuance of duplicate land certificates or certificates. Multiple land title certificates are certificates issued on a parcel of land with rights that overlap in whole or in part. The subject of the right holder can be in the name of the same or different individual or legal entity, it can happen anywhere and anytime.⁹

Issues regarding the land in dispute include those relating to land registration. The registration system that applies in Indonesia is a negative publication system in which the rights of a person or legal entity to the land he registers are created not because of the registration, but because of the legal actions taken.¹⁰

For the sake of prioritizing the principle of priority to the community as stated regarding the provision of justice, benefits and legal certainty requires the availability of complete and clear written legal instruments that are implemented consistently according to the spirit and content of the provisions. In addition to dealing with concrete cases, it is also necessary to organize land registration which makes it possible for applicants holding land rights to easily prove their rights to land under their control.

⁸<https://ombudsman.go.id/pengumuman/r/artikel--dissemination-kajian-cepat-terkait-pelayanan-penerbitan-surat-keterangan-ntak-sengketa-dan-surat-keterangan-penguasaan-tanah-oleh-kelurahan>

⁹Loebby Loqman, 1995, Final Report and Legal Evaluation Regarding Handling and Settlement of Problematic Certificates, National Legal Development Agency, Ministry of Justice, Jakarta, page 32

¹⁰Boedi Harsono, Today's land disputes, root causes and solutions to the problem presented in the "Land Dispute Seminar", Problems and Solutions, held at the Borobudur Hotel, Jakarta on 20 August 2003, page 2

The regulations that have been issued in agrarian management have not been widely controlled by the Village Head, in this case there is evidence that there have been many mistakes in making land deeds, this fact is of course very detrimental to the community or the applicant. It is appropriate for the Village Head to increase knowledge in the agrarian sector, especially in the field of land registration so that the aim of land registration can be achieved and carried out until the issuance of certificates that are desired by the community or applicants holding rights to those lands that have not been registered at the Land Office as what has been regulated by Constitution.

The reality on the ground is that there are still inaccuracies, imperfections in recording legal events, recording and keeping master lists or recording all of these transfers. There is only general knowledge that the land really belongs to someone and borders land belonging to other people according to agreed standards. . There is an intentional factor (person) in the abuse of authority to gain one's own benefit due to the practice of bribery or someone's desire to control someone else's land by way of unlawful acts that have occurred in their area and there are measurements involving Village Office staff or Village Heads.

3.2. Mechanism in the effort to apply for land ownership rights in the city of Semarang

The implementation of land registration for the community is a state task carried out by the government for the benefit of the people, in order to provide legal certainty in the status of land rights in Indonesia. The Basic Agrarian Act No. 5 of 1960 in Article 4 paragraph 1 that on the basis of the right to control from the state as referred to in Article 2 it is determined that there are various rights over the surface of the earth, called land, which can be given to and owned by people other people and legal entities. The granting of new land rights is a stipulation by the government in granting land rights in a plot of state land to the law, either in terms of extending the term of rights, renewing rights or changing rights.

1. An extension of the term of a right is an extension of the validity period of a land right without changing the conditions for granting said right, for which an application can be filed before the end of the term of the said land right.
2. Renewal of rights is the granting of the same land rights to the same rights holders which can be filed after the validity period of the rights in question has ended.

3. A change in title is a government stipulation regarding the affirmation that a piece of land which was originally owned with a certain land title at the request of the right holder becomes state land and at the same time grants the land to him with other types of land rights.¹¹

Land that has not been certified needs to be registered with the local Land Office. This is regulated in the Basic Agrarian Act No. 5 of 1960 which includes property rights, building use rights, usufructuary rights, business use rights and others. Other types of land that have not been certified include *Girik*, Ketitir, Petok D, Verponding Indonesia, Eigendom Verponding, Opstaal, Vruchgebruik, Efpacht.¹²

There are several steps to go through obtaining a certificate for land through the Village Head's Office, namely:

1. Certificate of No Dispute

Need to ensure that the land to be managed is not land in dispute. Of course this refers to the applicant as the rightful owner. As proof, in a statement or statement of non-dispute it is necessary to include the signatures of witnesses who can be trusted. The witnesses are the local Rukun Tetangga (RT) and the local Rukun Warga (RW). This is because they are community leaders who know the history of land tenure being applied for. However, if a place does not have RT and RW like some areas, witnesses can be obtained from local traditional leaders.

2. Certificate of Land History

The function of the Certificate of Land History is to explain in writing the history of land ownership from the beginning of recording at the village office or sub-district office up to the current tenure. It also includes the transition process in the form of a partial or complete transition. Usually, *girik* land which was initially very large was then sold or partly transferred.

3. Certificate of Sporadic Land Ownership

This Certificate of Sporadic Land Acquisition includes the date of land acquisition or control. Sporadic land registration is a land registration activity for the first

¹¹SIDI LAW, Regulation of the Minister of Agrarian Affairs/Head of BPN No. 9 of 1999 concerning Procedures for Granting and Canceling State Land Rights & Management, BPN RI Legal & Public Relations Center, page 2

¹²www.cermati.com/artikel/cara-lengkap-managing-certificate-land-and-costs, Accessed 16 August 2022, 21.30

time regarding one or several objects of land registration in an area or part of a village area individually or in bulk.¹³

Requirements that must be met in the application for land rights for the first time for land status:

1. Affirmation of Land Rights

Affirmation of land rights is a decision of the National Land agency, that regarding the confirmation of land rights originating from customary land, it is confirmed for the applicant through the procedure for obtaining a certificate of land rights at the land office with the fulfillment of the application requirements.

2. Recognition of Land Rights

The recognition of land rights is a decision of the National Land Agency, that in connection with the recognition of rights to land originating from customary land that is recognized through the procedure for obtaining a certificate of land rights at the land office by fulfilling the application requirements, namely as follows:

- a. Application letter;
- b. Photocopy of KTP or identity of the applicant;
- c. Photocopy of KTP or identity of the authorized person accompanied by the power of attorney, if the applicant is authorized;
- d. Photocopy of SPPT-PBB for the current year;
- e. Written proof of original land rights accompanied by
 - 1) Statement of continuous physical ownership of the land for 20 years or more by heredity or transfer made by the land owner, witnessed by 2 witnesses and known by the local village head.
 - 2) A statement or statement of non-dispute from the village head witnessed by 2 witnesses and the mastery of which was confirmed by the local customary leader.

3. Granting of Land Rights

The granting of land rights is a decision of the National Land Agency, namely the granting of land rights to applicants originating from land to applicants originating from State land through the procedure for obtaining a certificate of land rights at the Land Office, by completing the application requirements, including:

- a. Application letter;
- b. Copy of KTP or identity of the applicant;

¹³Adrian Sutedi, 2011, Certificate of Land Rights, Sinar Graphic, Jakarta, p. 60

- c. Photocopy of KTP or personal identity of the attorney accompanied by a power of attorney, if the application is authorized;
- d. Photocopy of SPPT-PBB for the current year;
- e. Boundary statement letter has been installed;
- f. Written evidence of original land rights;
- g. If there is no evidence, a statement on continuous physical ownership of the land for 20 years or more (hereditary or transferred) is made by the land owner, witnessed by 2 witnesses and known by the Village Head and supported by a letter from the Village Head witnessed by 2 witnesses and whose control is justified by the head of the community.

4. *Waqf* Land Ownership Rights

Waqf land ownership rights are decisions of the National Land Agency, namely regarding ownership rights to *waqf* land that are given to applicants, both originating from land with existing rights and state land through the procedure for transferring certificates of land rights at the Land Office, by completing a number of application requirements as following:

- a. Application letter;
- b. Photocopy of identity card or *waqf* identity;
- c. Photocopy of nadzir's KTP or identity;
- d. Nadzir validation letter photocopy;
- e. Photocopy of KTP or personal identity of the attorney accompanied by a power of attorney, if the applicant is authorized;
- f. *Waqf* pledge deed;
- g. Original land title certificate
- h. Written evidence of other land rights, such as:
 - 1) Statement of continuous physical ownership of the land for 20 years or more (hereditary or transfer) made by the land owner witnessed by 2 witnesses and known by the Village Head
 - 2) A letter of explanation from the Village Head witnessed by 2 witnesses and the mastery of which was confirmed by the local customary leader.

5. Management Rights

The management right is a decision of the National Land Agency regarding the granting of management rights to the applicant, whether originating from from state land or land with management rights through the procedure for obtaining a title certificate at the Land Office by fulfilling the following requirements:

- a. Application letter;
- b. Copy of KTP or identity of the applicant;
- c. Photocopy of KTP or personal identity of the attorney accompanied by a power of attorney, if the applicant is authorized;
- d. Photocopy of SPPT-PBB for the current year;

- e. Photocopy of the company's articles of association;
- f. Photocopy of the decision of the competent authority or deed of establishment of the company which is legalized by the minister;
- g. Evidence of land tenure based on evidence of juridical data and evidence of physical data;
- h. Evidence of release of forest area land if the object originates from forest area land;
- i. Proof of location permit;
- j. Evidence of appointment from the holder of management rights if the object originates from land with management rights.

The description of the procedures and issues of land registration in the context of certifying land rights (especially property rights) cannot be separated from discussions regarding the occurrence of land ownership rights. There are two ways of dealing with land ownership rights, namely:

1. Derivatively

That the right to the land was obtained through the transfer of rights, either because of the law (transfer) or because of the making of the law (transfer). The transfer due to law occurs due to inheritance while the transfer due to legal actions occurs due to buying and selling, exchange or grants. So switching refers to the death of the owner of land rights that the heir and his heirs do not want, while transferring refers to the transfer of rights desired by the owner to be transferred to another party.

Thus obtaining derivative land rights is related to the transfer of rights, which means that the land has been registered or has a certificate, then the transfer of rights requires a deed of transfer of rights, a sale and purchase deed, an exchange deed, a grant deed made by the Land Deed Making Officer (PPAT), to then register the rights in the name of the person receiving the transfer at the local National Land Office.

2. Originally

Originally, it means that the rights to the land were originally obtained, meaning that the land has never been controlled or owned by anyone. In other words, the person who controls the land is the first person. There are three ways to obtain land ownership rights, including:

- a. According to customary law;
- b. According to the provisions of the Act;
- c. According to the Government's determination.

The provisions in Article 32 paragraph 1 of Government Regulation Number 24 of 1997 concerning Land Registration states that a certificate is a proof of right that applies as a strong means of proof regarding the physical data and juridical data contained therein as long as the physical data and juridical data are in accordance with the existing data. in the measurement certificate and land book concerned. Technically, land registration activities for the first time can be carried out systematically and sporadically.

1. Systematically

Systematic land registration is where land registration activities are carried out simultaneously for the first time covering all registration objects that have not been registered in an area or part of the territory of a village or sub-district. Systematic land registration involves the government of the National Land Agency as the executor and is assisted by an Independent committee.

2. Sporadically

Systematic land registration is a land registration activity within the framework of work program activities from the Government carried out by an Adjudication committee formed by the National Land Agency and sporadic land registration are activities carried out at the request of interested parties regarding one or several objects of land registration within the territory of a village individually or in bulk.¹⁴

The provisions of Article 13 paragraph 4 of Government Regulation Number 24 of 1997. The granting of ownership rights to land can be granted, namely:

1. Individual property rights

Individual property rights are land owned by people with Indonesian citizenship. Requirements for the application for land ownership rights, among others:

- a. The application form that has been filled out and signed by the applicant or his attorney on sufficient stamp duty.
- b. Power of attorney if authorized.
- c. Photocopy of identity card and family card of applicant and proxy if authorized, which has been matched with the original to the counter clerk.
- d. Original proof of acquisition of land or rights.

¹⁴<http://melissamanis.blogspot.com/2011/11/hasil-penregistran-tanah-di-indonesia.html>, Sunday 14 August 2022.

- e. Original proof of waiver and settlement of land and house or houses purchased from the government.
- f. Photocopy of registration certificate for the Notification of Taxes - Land and Building Tax (SPPT-PBB), Customs Deposit Letter (SSB), Land and Building Acquisition Fee (BPHTB) and proof of payment of income money at the time of registration of rights.
- g. Attach proof of Tax Deposit (SSP) or Income Tax (PPH).

2. Legal property rights

The right to own a legal entity that was legally established in Indonesia and domiciled in Indonesia which by law has been designated as a legal entity that can own land with ownership rights.

- a. Application form that has been filled in and signed by the applicant or his attorney on sufficient stamp duty.
- b. Power of attorney if authorized.
- c. Photocopy of the identity card of the applicant's Identity Card and Family Card and Proxy if authorized, which has been matched with the original by the counter clerk.
- d. Photocopy of the Deed of Establishment and Legal Entity Authorization that has been matched with the original by the counter staff.
- e. Original proof of acquisition of land or rights.
- f. Decree (SK) for the appointment of legal entities that can obtain property rights from the Head of the National Land Agency.
- g. Permit to obtain Property Rights from the Head of the National Land Agency.
- h. Photocopy of the registration certificate of the Tax Return - Land and Building Tax (SPPT-PBB) for the current year which has been verified with the original by the counter staff.
- i. Attach proof of tax deposit (SSP) or income tax (PPH).

3. Regarding the land

- a. Juridical data, including: certificates, *girik*, letters, letters of evidence of waiver and settlement of land and houses or land that has been purchased from the government, PPAT deeds, deed of waiver, court decisions, and other proof of acquisition documents
- b. Physical data, including: Letter of measurement, picture of the situation and IMB.

Documents related to land registration according to Government Regulation Number 24 of 1997, namely:

1. Land Register

A land register is a document in the form of a register containing the identity of land parcels with a numbering system.

2. Measure Letter

Measurement Letter is a document containing the physical data of a land parcel in the form of a map and description.

3. Name list

Register of Names is a document in the form of a list which contains information regarding physical ownership with a land right, or management rights and regarding the ownership of the right to an apartment by certain individuals or legal entities.

4. Land Book

A land book is a document in the form of physical data containing juridical data and physical data of an object of land registration that already has rights.¹⁵

The procedures for managing and issuing certificates are held in accordance with the instructions of the State Minister for Agrarian Affairs Head of the National Land Agency Number 6 of 1994, namely by providing counter services to the community. The service system and implementation are as follows:

1. Counter I: Information services

This service provides land information in the form of types or types of services available, requirements, management procedures and costs.

2. Counter II: Services for receiving and submitting letters of a general and technical nature

This counter serves community requests for land activities, including:

- a. Measurement request.
- b. Application for land rights.
- c. Application for the transfer of rights in the form of buying and selling, grants, swaps, and inheritance.
- d. Application for a certificate through service or recognition of rights.
- e. Conversion services, decrees.
- f. Location permit application.
- g. Application for change of land use.

3. Counter III: Service treasurer special recipient

This counter serves payments for all types of existing land services.

4. Counter IV: Certificate collection

¹⁵Urip Santoso, Op.Cit, p. 18

This counter serves land service products, including land certificates, mortgage certificates, land decrees.

After all application documents have been received, the Land Office Staff examines and scrutinizes the completeness of juridical data and physical data from the applicant for state land rights and examines the feasibility of the application so that it can be processed further in accordance with the applicable laws and regulations. If in the case of the land being requested there is no measurement certificate, the Land Office will instruct the Head of the Land Measurement and Registration Section to carry out the measurement in order to publish a picture of the situation of the land parcel being requested.

Then after the requirements for the application for Property Rights are processed by committee A which consists of:

1. Head of Land Rights Section as chairman and member concurrently.
2. Head of Land Measurement and Registration Section as deputy chairperson concurrently member.
3. Head of Section for Land Tenure Arrangement as a member
4. Head of Land Use Administration Section as a member
5. Village Head as a member
6. Head of Land Rights Subsidy as a member.

The task of committee A is in granting property rights, among others:

1. Conduct research on the completeness of the application files.
2. Requesting information from the holder of the land title being requested.
3. Determine whether or not land use is appropriate with the Regional Spatial Plan.
4. Give consideration to these rights as outlined in the Minutes of Land Inspection.

Next, if the information is complete and there are no objections from other parties, the decision to grant ownership rights is delegated to the Head of the Land Office, after considering the opinion of the Head of the Land Rights Section or the Land Research Team or Committee A, then the Head of the Land Office issues a Decree granting ownership rights to state land being applied for with certain obligations, as stated in the Regulation of the State Minister for Agrarian Affairs Number 9 of 1999 Article 103, these obligations include:

1. Paying Land and Building Rights Acquisition Fees (BPHTB) and income fees to the state in accordance with the provisions of the applicable laws and regulations in accordance with Government Regulation Number 46 of 2002, concerning

tariffs on types of non-tax state revenue (BNBP) that apply to the Land Agency National.

2. Maintaining boundary markers is to prevent disputes arising over the boundary markings of the applicant's land.
3. Use the soil optimally. The applicant must use the land according to its function and designation.
4. Preventing damage and loss of soil fertility in participating in carrying out cleanliness, beauty and order in the success of the K3 program.
5. Using land according to environmental conditions, so that the applicant participates in development both in the Village, District, Regency or City environment.

Provision in the Basic Agrarian Law and Government Regulation Number 24 of 1997 namely land registration adheres to a negative system which contains positive elements, because it will produce a strong means of proof. The negative system with positive tendencies is not a pure negative publication system, because it uses a rights registration system. A pure negative publication system does not use a rights registration system and there is no statement that the certificate is strong evidence. In accordance with the provisions of Government Regulation Number 24 of 1997 Article 32 which states, a Certificate is a letter of proof of rights that applies as a strong (juridical) means of proof regarding the physical data and juridical data contained therein, as long as the data is in accordance with the data in the letter measure and land book.

The concept of the rule of law theory as put forward by Julius Stahl, that the state government emphasizes that it must play an active role in ensuring the availability of services, security and public order for the welfare of society. Particularly for providers of land information for purposes of land registration by developing and instituting a land information system, the public can find out the owner of each plot of land, the area size, boundaries, types of rights, the burdens placed on the land parcel. As one of the goals, the information provider must contain the value of certainty and truth because the information will be the basis for the community to take legal action. In the absence of certainty and truth of information.

4. Conclusion

The problems of land disputes are increasingly complex, land disputes are related to land rights, land acquisition by the government for public purposes, inequality of land tenure, there are laws and regulations that are less harmonious. One of the supporting juridical data on the application for rights is the Statement of Non-Dispute, which was made by the Village Head as one of the

supporting documents for the history of ownership of land parcels concerning where the land originates from, who owns the land and its boundaries. Used as one of the conditions for the process of applying for land rights whose position can give rise to potential land disputes or cases in the form of juridical data regarding issues of land registration applications related to boundary disputes or overlapping.

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