

Implementation of Complete Systematic Land Registration (PTSL) in Cirebon Regency

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Abstract. *The PTSL program in Cirebon Regency is not yet optimal. Head of Cirebon National Land Agency Agha Setia Putra Eka saptadi conveyed that the PTSL program targeted at the Regency Cirebon as many as 40 thousand plots of land within five months or until June 2024. However, at the beginning of May 2024, the National Land Agency had only completed the target of 17 thousand plots of land. This thesis's research is empirical. In this empirical legal research, law is conceptualized as a manifestation of the symbolic meanings of social actors as seen in interactions between individuals in society. Based on the research conducted, it can be seen that The implementation of comprehensive, systematic land registration at the Cirebon Regency Land Office has not been effective. This is evidenced by the high number of people who have not yet registered their land. The factors that cause the ineffectiveness of land registration implementation at the Cirebon Regency Land Office are the History of Land Ownership, Community Psychology, Weaknesses in Land Registration Regulations, Implementation and Implementation Factors.*

Keywords: *Implementation; Land; Registration.*

1. Introduction

Indonesia is known as an agrarian nation that relies on the agricultural sector both as a source of livelihood and as a pillar of development. The development process in Indonesia has made the agricultural sector very important in the national economy because almost the majority of the Indonesian population lives in rural areas and makes a living as farmers. In addition to making a significant contribution to Indonesia's national income. Agriculture is one of the pillars of the country's economy, the agricultural sector, especially in areas with superior agricultural potential, is expected to increase regional income, especially for rural residents who are still below the poverty line. In the Islamic perspective, everything in the heavens and the earth, including land, essentially belongs to Allah SWT alone. As the true owner of all things (including land), Allah SWT then gives humans the power (*istikhlaf*) to manage this property of Allah in

accordance with His laws. The origin of ownership (*aslul milki*) belongs to Allah SWT, and that humans have no rights except to utilize (*tasarruf*) in a way that is pleasing to Allah SWT.¹

Land is a crucial factor of production that must be utilized optimally. Besides its substance, each type of land also offers specific uses, such as for agriculture, housing, or industry. Islam permits individuals to own land and utilize it. A closer look at the Islamic texts concerning land ownership reveals that the legal provisions regarding land differ from those regarding ownership of other objects. The Quran, the source of Islamic law, contains numerous verses that speak of the earth as a gift from God to mankind.

The various narratives above are also in accordance with the provisions of Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that "the earth and water and the natural resources contained therein are controlled by the state and used for the greatest prosperity of the people." This constitutional provision places the government as the holder of power over the earth, water and natural resources of Indonesia to be used for the greatest prosperity of the Indonesian people without exception. The provisions as referred to in Article 33 paragraph (3) of the 1945 Constitution are also seen in Article 2 paragraph (2) of the UUPA which reads:

The State's right to control, including in paragraph (1) of this article, provides the authority to:

- a. Regulate and organize the allocation, use, supply, maintenance of the earth, water and space.
- b. Determine and regulate legal relationships between people and the earth, water and space.
- c. Determine and regulate legal relationships between people and legal actions concerning earth, water and space.

Based on the existing narrative, it can be seen that government investment and policies are needed to encourage land use to achieve social welfare through agriculture. The welfare of farmers and their families is the primary goal that must be prioritized in all activities related to agricultural development. The agricultural sector is a top priority for developing countries because, from various perspectives, this sector is a dominant sector in the national economy. Plantations hold a crucial position in agricultural sector development, both nationally and regionally. Opportunities for plantation crop development are increasingly promising, this is related to stronger government support for

¹Nurhayati A., "Land Rights According to Islamic Law and the Basic Agrarian Law", Dharmawangsa University Journal, Vol. 5, No. 1, 2017, p. 3.

smallholder plantation businesses, the growth of various industries that require raw materials, and the expanding market share of plantation products.²

In accordance with the provisions contained in Article 19 of the UUPA, land registration carried out in Indonesia is land registration in the context of "*Rechts kadaster*", namely land registration whose purpose is to provide legal certainty and legal protection to land rights holders, in the final process of land registration, evidence is issued in the form of a Land Book and Land Certificate consisting of a copy of the Land Book and Measurement Letter.

In order to provide legal certainty and legal protection for people's land rights fairly and equally, as well as to encourage the growth of the national economy in general and the people's economy in particular, and to immediately realize what is mandated by Article 19 of the UUPA, that land registration is carried out throughout the territory of the Republic of Indonesia, then the activity of accelerating complete systematic land registration (PTSL) is carried out throughout the territory of the Republic of Indonesia.³

PTSL is essentially a simultaneous, first-time land registration process that covers all unregistered land within a village, sub-district, or other similarly designated area. Through this program, the government guarantees legal certainty and guarantees community land rights. The PTSL method is a government innovation, implemented through the Ministry of ATR/BPN, to meet the community's basic needs: clothing, food, and shelter. The program is outlined in Ministerial Regulation No. 12 of 2017 concerning PTSL and Presidential Instruction No. 2 of 2018. PTSL, popularly known as land certification, is a manifestation of the government's obligation to guarantee legal certainty and protection for community land ownership. Furthermore, communities who receive land certificates can use these certificates as capital for effective and efficient business development, improving their well-being.⁴In reality, the implementation of PTSL has not been running optimally, this is a result of public understanding regarding the importance of land certificates. The public generally lacks understanding of the function and usefulness of certificates, a factor that stems from a lack of accurate information about land registration. This lack of accurate and easily understood information about land registration affects public awareness of registering their land. Furthermore, the public perceives that land certificates are only viewed from their economic value. Furthermore, there is a

²Anggriawan and Toti Indrawati, "The Role of Gambir Commodities in the Economy of Lima Puluh Kota Regency, West Sumatra Province", Journal of Economics, Department of Economics, Development Economics Study Program, Faculty of Economics, University of Riau, 2013, p. 2.

³Mira Novana Ardani, "Challenges in Implementing Complete Systematic Land Registration Activities in the Context of Realizing Legal Certainty", Diponegoro University Journal, Volume 6, Issue I, Semarang, 2019, p. 53.

⁴https://www.kominfo.go.id/content/detail/12924/program-pts-l-pastikan-penyelesaian-sertifikasi-lahan-akan-sesuai-target/0/artikel_gpr, accessed June 1, 2025.

perception that obtaining land certificates takes a significant amount of time. As revealed by one member of the community who has registered their land sporadically, the process for obtaining a certificate takes at least 3 or 4 months, and at most 8 months, with some even taking up to a year. This factor presumes that the land rights they own are already very strong. This has resulted in the PTSL program in Cirebon Regency being less than optimal. Head of Cirebon National Land Agency Agha Setia Putra Eka saptadi conveyed that the PTSL program targeted at the Regency Cirebon as many as 40 thousand plots of land within five months or until June 2024. However, at the beginning of May 2024, the National Land Agency had only completed the target of 17 thousand plots of land.⁵

2. Research Methods

The type of legal research used is empirical. In this empirical legal research, law is conceptualized as a manifestation of the symbolic meanings of social actors as seen in their interactions. The reality of life does not exist in the empirical realm, which is also the realm of observation, and does not appear in objectively patterned and structured (let alone normative) behavior that can therefore be measured to produce quantitative data.⁶

3. Results and Discussion

3.1. Implementation of Complete Systematic Land Registration (PTSL) at the BPN/ATR Cirebon Regency

Land development plays a crucial role due to its economic and social functions. Due to this strategic role, land ownership/status requires strong proof in the form of a legally valid land ownership certificate. Land certificates include Ownership Rights (Hak Milik/HM), Cultivation Rights (Hak Guna Usaha/HGU), Building Rights (*Hak Guna Bangunan*/HGB), Use Rights (*Hak Pakai*/HP), Management Rights, and Waqf.

Based on data contained in the Cirebon Regency Medium-Term Development Plan, the amount of certified land in Cirebon Regency is only around 27.5%.⁷Based on the official page of the Cirebon Regency government website, it is stated that out of 45,250, only 1,430 plots of land have been certified.⁸ Bogorame Village, *Sumber* District, Cirebon Regency, has a relatively low land

⁵Personal interview with Agha Setia Putra Ekasaptadi, Head of the Cirebon Regency Land Agency, on June 12, 2025, at 6:00 PM WIB.

⁶Mukti Fajar ND and Yulianto Achmad, 2013, Dualism of Normative & Empirical Legal Research, Pustaka Pelajar, Yogyakarta, p. 183.

⁷<file:///C:/Users/windows%2010%20Pro/Downloads/BAB%20IV%20ANALIS%20ISU-ISU.pdf>, accessed on May 12, 2024.

⁸<https://www.cirebonkab.go.id/v2/id/2022/02/11/1430-land-certificate-shared-in-kayen/>, accessed on May 12, 2024.

registration rate, with only 103 certificates issued. This is due to the village's population being economically disadvantaged and having a low level of education. *Titih Hanggara Trisna Adi* as the Head of Bogorame, *Sumber* District, Cirebon Regency stated that "most of the community does not understand PTSL, in addition, the community of Bogorame, *Sumber* District, Cirebon Regency also does not understand the essence of the importance of land registration." Saman's opinion was confirmed by Fauzie Kamal Ismail as Head of Land Rights Determination and Registration at the Cirebon BPN Office who explained that:⁹

In fact, the systematic and complete land registration in Cirebon Regency is running well, however, in some places some residents are still not actively registering their land, this is due to the stigma of expensive certificate registration and frequent illegal levies, and the community also does not understand the important function of land certificates.

In addition to the community remaining disadvantaged due to economic and educational levels, the difficult geographic location is also a reason why PTSL in Cirebon Regency remains suboptimal. Miftachul added that:¹⁰

There are still several areas in Cirebon Regency that are difficult to reach for PTSL socialization and implementation, one of which is Bogorame Village, *Sumber* District, Cirebon Regency. This village is relatively remote and far from the city center and the Cirebon Regency government. This leaves the community isolated and left behind in information, especially regarding PTSL. Consequently, few people apply to register their land.

3.2. Factors Influencing the Effectiveness of Systematic and Complete Land Registration in Cirebon Regency

Since the issuance of several regulations in the framework of land registration, the Government has continuously strived to implement land registration throughout the territory of Indonesia to ensure legal certainty. Land registration is carried out in two ways, namely systematically covering the area of one village or sub-district or part thereof which is mainly carried out on the initiative of the government and sporadically, namely registration of land plots at the request of the holder or recipient of the rights concerned individually or in bulk.

Sporadically, land registration does not show a significant increase in the number of registered land plots, because the costs are expensive so that people wait for systematic land registration.¹¹The National Land Agency (BPN) was systematically

⁹Interview with Fauzie Kamal Ismail, Head of Land Rights Determination and Registration at the Cirebon National Land Agency (BPN) Office on January 10, 2025, at 1:00 PM WIB.

¹⁰Fauzie Kamal Ismail, loc. cit.

¹¹Audina, B 2018, "Implementation of Sporadic First-Time Land Rights Registration According to the Basic Agrarian Law Not Carried Out by the Community in Punggur Kecil Village, Sungai Kakap

awarded the Indonesian Land Administration Project (PAP). The PAP significantly accelerated land registration, leading to the project being continued through the Land Management and Policy Development Program (LMPDP).¹²

According to public perception, systematic land registration is more affordable in terms of cost, time and certification procedures compared to sporadic certification, so that similar projects are worth continuing in the future.¹³ Systematic land registration that provides legal certainty is highly desirable for owners of unregistered land plots, especially for lower-middle income communities.

On the initiative of the government, the completion of land registration throughout Indonesia is planned to be completed in 2024 through the Complete Systematic Land Registration (PTSL) program. PTSL was launched in 2016 through the Regulation of the Minister of State for Agrarian Affairs/Head of the National Land Agency Number 35 of 2016 concerning the Acceleration of the Implementation of Complete Systematic Land Registration, then refined by the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 1 of 2017. In the ministerial regulation, there are still several problems in its implementation so that it requires substantial improvements to 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.

PTSL is a simultaneous, first-time land registration activity that covers all registered and unregistered land objects within a village/sub-district or other similarly designated area. The process involves collecting physical and legal data on one or more land registration objects for registration purposes.¹⁴

In implementing PTSL, each Land Office utilizes existing resources to achieve land registration targets. The number and speed of registered land registration varies from one Land Office to another.¹⁵ Based on this description, it is very important to conduct research into what factors influence the implementation of land registration.

Likewise, land registration in Cirebon Regency has certainly not proceeded without obstacles. Based on interviews with Notary Beny Pumujiharto, the

District, Kubu Raya Regency", *E-Journal of Legal Fatwas*, Faculty of Law, Tanjungpura University, Vol. 1, No. 1, 2018, p. 235.

¹²Septina Marryanti and Yudha Purbawa, "Optimizing Factors Influencing the Success of Land Registration", *BHUMI: Agrarian and Land Journal*, 2018, p. 192.

¹³Sugiyanto, Siregar, H, & Soetarto, E. "Analysis of the Impact of Systematic Land Registration on the Socio-Economic Conditions of the Community in Depok City", *Journal of Management and Agribusiness*, Vol. 5 No. 2, 2008, p. 71.

¹⁴Septina Marryanti and Yudha Purbawa, *op. cit.*, p. 193.

¹⁵Septina Marryanti and Yudha Purbawa, *loc.cit.*

following factors were identified as contributing to the ineffectiveness of land registration in Cirebon Regency:¹⁶

1) Public Awareness

- a. Many people do not know that land must be registered and do not know the benefits of land registration;
- b. The public's limited knowledge of land registration procedures, which are perceived as too complicated and involve a process that is difficult to understand, causes the public to be reluctant to carry out land registration sporadically;
- c. There is a perception in society that the registration process will cost a lot of money;
- d. The character of the community who feels they do not have an interest in the land they own, so the community does not have an interest in the land title certificates they own.
- e. Low human resources who still think that certificates are not important.
- f. The awareness of some of the people of Cirebon Regency is not very high, in contrast to people in other big cities, where the importance of a certificate is already high.

2) The computerized system is not yet perfect

According to Sumini, a notary, the computerized PTSL registration system at the Cirebon Regency Land Office is not yet widely understood by all parties/employees at the Land Office. Each employee's skills vary, both in terms of knowledge of the program used and its use. Therefore, if an error or malfunction occurs, it will face obstacles and impact work activities.¹⁷

3) Lack of operational technical personnel

Based on interviews with Notaries in the Sumber area, the results of the interviews were found to state that in measurement and mapping activities, the Cirebon Regency Land Office already has sufficient operational technical equipment, but there is still a shortage of personnel in GPS measurement

¹⁶The results of the researcher's interview with a Notary in Cirebon Regency on January 12, 2026, at 2:38 PM WIB.

¹⁷Results of the researcher's interview with a Notary in the Cirebon Regency area on May 12, 2025, at 17.00 WIB.

activities due to the limited number of employees at the Cirebon Regency Land Office who specifically handle this problem.¹⁸

4) Unregistered land is an object of dispute

a. There is no agreement among the heirs regarding the distribution of the inherited land;

b. There are still land disputes with third parties;

5) There are no strict sanctions from the Government, in this case the National Land Agency, if the land rights owner does not register ownership of the land.

The factors that make people reluctant to register land in Cirebon Regency, as stated by Muhammad Yamin and Abdul Rahim Lubis, are due to the lack of legal certainty regarding land registration. Technically and legally, the primary purpose of land registration is to create legal certainty and guarantee legal protection. However, in reality, the public has not yet experienced this legal certainty regarding land registration. This means that throughout our lives, it is still considered that there is no legal certainty from land registration in this country, because a certificate does not fully guarantee a person's land rights.¹⁹

The failure to achieve legal certainty is driven by several factors such as:²⁰

1) Historical Factors of Land Ownership

When we examine the history of land ownership based on customary law, land registration is not mandatory, and even if such activities exist in indigenous communities, they are only for tax collection purposes. Therefore, land registration is not considered an obligation that can benefit community land rights. Moreover, since ownership was originally collective, proof of title was not essential. Therefore, at that time, communities were reluctant to register their land. Land title was consistently ignored, thus preventing the realization of legal certainty.

2) Psychological Factors of Society

People don't understand the significant difference between having a land certificate and not having one. In fact, in their eyes, the protection provided by the state to certificate holders is almost the same as to those without one. The

¹⁸The results of the researcher's interview with a Notary in the Sumber area, Cirebon Regency on May 12, 2025, at 8:27 PM WIB.

¹⁹Mhd. Yamin Lubis and Rahim Lubis, 2008, Land Registration Law, Mandar Maju, Bandung, p. 128.

²⁰The results of the researcher's interview with a notary in the Cirebon area on May 12, 2025, at 12:00 WIB.

reality of this lack of greater state guarantees discourages people from registering their land.

3) Weaknesses of Land Registration Rules

To date, many people remain unaware of land registration regulations. Therefore, it is hoped that these regulations will expedite the implementation of land registration in this country. However, the reality is that the number of registered land plots is relatively small compared to the number of unregistered plots. Therefore, it can be said that there is no real legal protection under these regulations, and the content of these regulations cannot be maintained as a tool for achieving the target of land title certificates in Indonesia.

4) Implementation and Implementation Factors

There are still numerous public complaints about the implementation of land registration. This is due to the implementation being perceived as indecisive, vague, and complicated. Furthermore, there are even differing interpretations of the process. If this continues, it will undoubtedly discourage public interest in registering their land. People feel burdened, burdened, and unsure of the many benefits that land registration offers.

5) Intervention factors of Tax Law and other Fees.

People who want to register their land often complain in advance, believing it to be expensive. However, if properly implemented, land registration fees are relatively inexpensive. In addition to the applicant's fees stipulated in land registration regulations, there are also other statutory fees that cannot be ignored, such as the Land and Building Acquisition Tax (BPHTB) Law, which requires payment upon transfer and acquisition of land rights. All these fees imposed by the land registration regulations discourage people from registering their land.

4. Conclusion

The implementation of comprehensive, systematic land registration at the Cirebon Regency Land Office has not been running effectively. This is indicated by the high number of people who have not registered their land. Factors contributing to the ineffectiveness of land registration at the Cirebon Regency Land Office include the history of land ownership, community psychology, weaknesses in land registration regulations, and implementing and enforcement factors. Efforts to ensure effective land registration in the future include improvements to the legal structure, legal substance, and legal culture.

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