

## Effectiveness of Implementing Complete Systematic Land Registration in Preventing Land Disputes in Majalengka Regency

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**Abstract.** *This study aims to determine and analyze the implementation of Complete Systematic Land Registration in achieving legal certainty and the obstacles and solutions in the implementation of PTSL in Majalengka Regency. The type of data used is primary and secondary data obtained through interviews and literature studies. The research concludes: 1) The effectiveness of the implementation of the Complete Systematic Land Registration (PTSL) in preventing land disputes in Majalengka Regency has been effective, although there are several obstacles in it. As experienced by Mr. Irwan, after participating in the PTSL, finally the land boundary dispute with his neighbor can be resolved and legal certainty regarding land ownership between the disputing parties can be achieved. This shows that the author believes that PTSL can effectively prevent and resolve land disputes. The implementation of the Complete Systematic Land Registration Program (PTSL) which has been running effectively can be observed from the objectives to be achieved through the Complete Systematic Land Registration Program (PTSL). The objectives to be achieved in the Complete Systematic Land Registration Program (PTSL) are to accelerate the provision of legal certainty and legal protection of community land rights in a certain, easy, fast, smooth, safe, fair, equitable and open and accountable manner, so as to improve the welfare and prosperity of the community and the state economy, as well as reduce and prevent land disputes and conflicts. 2) Technically, the obstacles in the implementation of PTSL in Majalengka Regency are the unavailability of the parties from the related sub-districts, and in the field of land measurement and mapping which has not been comprehensively implemented. The solution is to conduct land measurement and mapping thoroughly in the village/sub-district area that has been designated as the activity location, both for registered land plots, improving the quality of registered land plots that have not been mapped, and unregistered land plots that are carried out systematically and completely grouped in one complete village/sub-district area.*

**Keywords:** *Effectiveness; Land Disputes; PTSL.*

## 1. Introduction

Land is a gift from God Almighty to humanity on earth. From birth to death, humans need land. Land and humans are inseparable; humans live, thrive, and carry out their daily activities on land. Humans depend on land for much of their lives, as it is their source of life and livelihood.<sup>1</sup>The rapid development in various areas of life has caused land to become a commodity that has very high economic value and is difficult to control.<sup>2</sup>In its development, there are several land rights which are regulated in full in Article 4, Article 16, and Article 53 of Law Number 5 of 1960 concerning Basic Agrarian Provisions. Land registration is one of the government's programs aimed at ensuring orderly land administration. The increasing pace of development in Indonesia is inextricably linked to the certainty of land registration. Land issues are paramount and crucial for the smooth running of development, as all community development activities require land.<sup>3</sup>As in Article 1 Paragraph 9 of Government Regulation of the Republic of Indonesia Number 18 of 2021 concerning Management Rights, Land Rights, Apartment Units, and Land Registration, the definition of land registration is a series of activities carried out by the Government continuously, sustainably and regularly including the collection, processing, bookkeeping, and presentation as well as maintenance of physical data and legal data, in the form of maps and lists, regarding land plots, aboveground space, underground space and apartment units, including the issuance of certificates of proof of rights for land plots, aboveground space, underground space for which rights already exist and ownership rights to apartment units and certain rights that encumber them.

Through the land registration program, individuals and legal entities can obtain land title certificates. It is hoped that with the registration of land parcels, land administration will become more orderly. Communities who have obtained land title certificates can actively participate in optimally utilizing their land. Furthermore, certified land can be used to reduce the potential for land ownership disputes and as collateral for loans.<sup>4</sup>The Complete Systematic Land Registration Program (PTSL) is an innovation implemented by the Minister of Agrarian Affairs and Spatial Planning as an effort to accelerate land registration and create a complete map within a region. The Complete Systematic Land Registration Program (PTSL) is an effort to ensure that the public can obtain legal certainty and legal protection for land rights in a certain, fast, simple, safe, smooth, fair,

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<sup>1</sup>Dyara Radhite Oryza Fea, (2018), *Panduan Mengurus Tanah, Rumah dan Perizinannya*, Yogyakarta : Legality, p.1

<sup>2</sup>Adrian Sutedi, (2018), *Peralihan Hak Atas Tanah dan Pendaftarannya*, Jakarta : Sinar Grafika, p.22

<sup>3</sup>Kusmaryanto & Gunarto, Pendaftaran Akta Jual Beli Yang Melebihi Jangka Waktu Pendaftaran Tanah Di Kantor Agraria Dan Tata Ruang/Badan Pertanahan Nasional Kota Semarang, *Jurnal Akta*, Vol. 4 No. 3 September 2017, p. 475

<sup>4</sup>Putri Bahagia Ningrum, Kami Hartono, Pelaksanaan Pendaftaran Tanah Sistematis Lengkap (PTSL), *Prosiding : Konferensi Ilmiah Mahasiswa Unissula (KIMU) 4*, Unissula Semarang, 28 October 2020 p. 637

equitable, and transparent manner. PTSL is the first land registration process carried out simultaneously and covers all unregistered land registration objects within a sub-district/village area. The Complete Systematic Land Registration Program (PTSL) is useful for creating orderly land administration so that it can anticipate the emergence of land cases or disputes and the formation of a complete land plot map in a village/sub-district that will make it easier for the public and the government to obtain land information within a region.

Land disputes frequently arise due to the fact that many lands still lack land certificates. One of the efforts of the Majalengka Regency Government to prevent various land disputes such as those mentioned above is by completing the Land Registration Program through the Complete Systematic Land Registration (PTSL). The main target is to achieve several benefits and objectives related to land management and legal certainty. Reflecting on 2022, the National Land Agency (BPN) of Majalengka Regency successfully achieved its target of maximizing the 2022 Complete Systematic Land Registration (PTSL) program. However, to achieve this target, it turns out that there are several problems faced related to the Complete Systematic Land Registration (PTSL) program in Majalengka Regency, such as the existence of duplicate certificates issued by the local Land Office in the PTSL program because the determination of the coordinates of the land location to be registered is still done manually.

Discussing the effectiveness of PTSL implementation can also be influenced by several real challenges. One of the main challenges in PTSL implementation is raising public awareness of its benefits. Many landowners may not realize the importance of having a valid land certificate or may be hesitant to participate in the registration process. Depending on local circumstances, not all landowners may be willing to participate in the PTSL process. Some landowners may not want to disclose personal information or may be concerned about the fiscal implications. Furthermore, PTSL implementation also requires human resources trained and knowledgeable in mapping, land law, and geographic information technology (GIS). The lack of experts in these fields can hamper the registration process. Therefore, the effectiveness of PTSL implementation, which aims to prevent land disputes in Majalengka Regency, is considered ineffective. In relation to the above issues, the author feels it is necessary to discuss in more depth the issue of "The Effectiveness of the Implementation of Complete Systematic Land Registration (PTSL) in Preventing Land Disputes in Majalengka Regency."

## **2. Research Methods**

This type of research is empirical jurisprudence, research based on observations, experiences, or concrete data obtained from the real world, not merely theories or abstract concepts. This research relies on evidence that can be tested through observation or experimentation. According to Soerjono Soekanto and Sri

Mamudji, empirical legal research is legal research conducted by examining primary data, namely data obtained directly from the community.<sup>5</sup> The juridical approach (law is seen as a norm or *das sollen*), and law as a social and cultural reality or *das sein*, because this research uses primary data obtained from the field. The approach method uses structural and *Economic Analysis of Law*. The data collection method uses primary and secondary data. The data analysis method used is qualitative descriptive analysis.

### 3. Results and Discussion

#### 3.1. Effectiveness of the Implementation of Complete Systematic Land Registration (PTSL) in Preventing Land Disputes in Majalengka Regency

Creating legal certainty regarding land rights requires a strong legal foundation. This legal foundation relates to agrarian issues in Indonesia. in a way Generally regulated in Law Number 5 of 1960 concerning Basic Agrarian Regulations, better known as the Basic Agrarian Law. The term agrarian according to the UUPA is not only limited to land, but also includes the earth, water and natural resources contained therein. Even according to Boedi Harsono, outer space is also included in it, where the earth and water contain energy and elements that can be used for efforts to maintain and develop the fertility of the earth, water and natural resources and other things related to these.<sup>6</sup> Land title certificates also serve as strong evidence of land ownership. This is implicitly stipulated in Article 19 paragraph (2) letter c of the UUPA.

Seeing the situation and problems that often occur in the slow process of making land certificates has become a major concern for the government. To overcome this problem, the government through the Ministry of ATR/BPN has launched a National Priority Program in the form of the Acceleration of Complete Systematic Land Registration (PTSL) through Presidential Instruction of the Republic of Indonesia No. 2 of 2018 concerning the Acceleration of Complete Systematic Land Registration throughout the Republic of Indonesia so that the process of making land certificates can take place effectively and efficiently. The systematic acceleration program for land registration is funded by the government, while still providing facilities and infrastructure for self-help incentives and community participation.<sup>7</sup> Majalengka Regency, as one of the regencies participating in the PTSL Program, has the opportunity to assist the community in obtaining certificates because every inch of land must have legal certainty to minimize the potential for land disputes, including the occurrence of land mafias and other land-related issues, including within families and heirs, especially for uncertified land.

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<sup>5</sup>Prof. Dr. Irwansyah, (2022), *Penelitian Hukum*, Yogyakarta : Mirra Buana Media, p. 43

<sup>6</sup>Rahmat Ramadhani, Jaminan Kepastian Hukum Yang Terkandung Dalam Sertipikat Hak Atas Tanah, *Journal De Lega Lata*, Volume 2, Nomor 1, January – June 2017, p.139

<sup>7</sup>*Ibid*

Disputes regarding uncertified land occurred in Majalengka Regency, West Java Province.

The National Land Agency (BPN) of Majalengka Regency has successfully achieved its target in maximizing the Complete Systematic Land Registration (PTSL) program in 2024. In 2025, the National Land Agency (BPN) of Majalengka Regency will re-implement PTSL for the 2025 fiscal year. This year's target is 50 thousand plots of land that will be targeted for Land Title Certificates. The villages that will be included in the PTSL program for the 2025 fiscal year are Gandu, Bojong Cideres, Baturuyuk, Mandapa, Sinarjati, Balida, Pinangraja, Sukaraja Kulon, Burujul Kulon, Burujul Wetan, Andir, Cicadas, Leuweung Gede, Ciborelang, Liangjulung, Karangsambung, Kadipaten, Cipaku, Kasokandel, Leuwikidang, Girimukti, Wanajaya, Mirat, Panongan and Bongas Kulon. According to Mr. Dedi Supandi, Acting Regent of Majalengka Regency, the PTSL Program is expected to help all residents of Majalengka Regency obtain legal land certificates. The Majalengka Regency Land Agency (ATR/BPN) will continue to actively educate the public. This is because, by 2026, land with Girik, Kikiti, Letter C, Petok, and other land titles will no longer be valid.<sup>8</sup> According to Mr. Wendi Isnawan, the main target of the National Land Agency (BPN) of Majalengka Regency from the Complete Systematic Land Registration (PTSL) is to achieve a number of benefits and objectives related to land management and legal certainty.<sup>9</sup>

The Majalengka Regency Land Office conducts announcements regarding land for which rights are being requested. The announcement is made at the Majalengka Regency Land Office in the village hall of the PTSL target area by posting it on a notice board. The announcement is intended to provide an opportunity for interested parties to submit objections or rebuttals to the physical and legal data. The announcement is made within a 14-day period. If an objection is submitted during the announcement period, the Majalengka Regency Land Office will follow up. However, if an objection is submitted after the announcement period, the Majalengka Regency Land Office will not respond further.<sup>10</sup>

Objections or objections if they arise from interested parties, whether by the applicant or family or other parties who feel their interests have been harmed, the objection must be submitted with valid reasons accompanied by valid evidence. If the objection is deemed valid, the Majalengka Regency Land Office has the right to not continue the certificate making process and return the files to the applicant so that the problem can be resolved first, because in its system the Land Office is an administrative legal product, so the Land Office only waits for a letter from the party in question or in dispute. If the problem or dispute has been resolved, the parties must write back to the Majalengka Regency Land Office to revoke and

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<sup>8</sup>Interview with Mr. Dedi Supandi, Acting Regent of Majalengka Regency, May 5, 2025

<sup>9</sup>Interview with Mr. Wendi Isnawan, A.Ptnh., MH Kakantah Majalengka Regency on May 5, 2025

<sup>10</sup>*Ibid*

continue the certification activities. If an error arises from the Majalengka Regency Land Office by physical officers or legal officers, corrections will be made.<sup>11</sup>

Based on the research conducted by the author, many findings point to the conclusion that the Majalengka Regency National Land Agency (BPN) as an agency implementing the PTSL program can implement this policy well. The implementation of this program is well controlled by the implementer, namely the PTSL program implementing staff at the Majalengka Regency BPN. This is in line with the concept of Talcott Parsons' Structural-Functionalism Theory, which views society as a social system consisting of interrelated parts and each has its own function to maintain social stability. In the context of the implementation of the Complete Systematic Land Registration Program (PTSL) in Majalengka Regency, this theory can be used to analyze how each institution and element of society contributes to the common goal of creating legal certainty and preventing land disputes. Parsons stated that every social system must be able to carry out four main functions known as the AGIL scheme, namely Adaptation (A), Goal Attainment (G), Integration (I), and Latency (L).

According to the author, the effectiveness of the implementation of the Complete Systematic Land Registration (PTSL) can be achieved by maximizing continuous outreach to the community and improving Human Resources (HR) at the Land Office. However, in the process of obtaining land certificates, obstacles are often encountered in the field. One of these is related to land boundaries, which can lead to disputes between landowners. This was experienced by Rasmin, a farmer from Karangsambung Village, Majalengka Regency, when participating in the land registration process through the Complete Systematic Land Registration (PTSL) program. He frankly did not want disputes with neighbors to arise.

However, the boundary dispute was also caused by the indifference of landowners, including himself who had not installed stakes according to applicable standards. Rasmin later said that he had temporarily halted the ongoing land registration process due to ongoing arguments regarding land ownership boundaries. However, after mediation and outreach regarding the importance of utilizing the PTSL momentum from the Land Office and the village government, the boundary dispute was finally resolved amicably and reached an agreement between the parties concerned. Rasmin later admitted that he did not regret participating in the PTSL program. In fact, he found PTSL very beneficial because it resolved the problems he was experiencing. Furthermore, he felt he hadn't encountered any difficulties in obtaining his land certificate.<sup>12</sup>

The example above shows a land dispute arising from differences in land boundaries. After participating in the PTSL (Complete Land Management System)

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<sup>11</sup>*Ibid*

<sup>12</sup>Interview with Mr. Rasmin, PTSL applicant on May 12, 2025



program, the dispute was finally resolved, achieving legal certainty over land ownership between the disputing parties. This means, according to the author, that PTSL is effective in preventing and resolving land disputes, as targeted by the Majalengka Regency National Land Agency (BPN) to increase legal certainty and prevent and resolve land disputes. This also aligns with the theory of effectiveness, which states that law is effective if it has a positive impact on human behavior.

The Complete Systematic Land Registration (PTSL) program of Majalengka Regency successfully achieved its target of maximizing the 2024 Complete Systematic Land Registration (PTSL) program. The success of this program is inseparable from the continuously expanded related socialization. The result, when viewed from the target of completing land registration in Majalengka, all 54,271 certificates targeted for 2024 have been successfully completed. The mapping target itself is 63,000 plots and has been completed in nine villages. The implementation of the Complete Systematic Land Registration (PTSL) program in Majalengka Regency has been running effectively, although there are several obstacles in it. However, it can be overcome due to the direct involvement of various parties to encourage the community to register their land so that they have legally valid land certificates. PTSL can effectively prevent and resolve land disputes as targeted by the Majalengka Regency BPN, namely increasing legal certainty, preventing and resolving land disputes. It can be said that PTSL in Majalengka Regency creates effective law because it has a positive impact on the Majalengka community.

### **3.2. Obstacles and Solutions in the Implementation of Complete Systematic Land Registration (PTSL) in Majalengka Regency**

Land is crucial to the lives of the Indonesian people. This is because Indonesia is an agrarian nation, so every activity undertaken by the majority of Indonesians constantly requires and involves land. In fact, for most Indonesians, land is considered sacred, as it symbolizes their social status.<sup>13</sup> The government has continuously strived to implement land registration throughout the country to ensure legal certainty. However, to date, the implementation of land registration has not yielded satisfactory results. Land registration coverage has not yet reached 100%. If this is not immediately improved, various land conflicts and disputes will arise.<sup>14</sup> In every implementation of a policy, according to Mr. Wendi Isnawan, A.Ptnh.,MH, he saw that there were several things that became problematic in the

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<sup>13</sup>Bagas Imam Arianto & Gunarto, Tinjauan Yuridis Pelaksanaan Pendaftaran Tanah Sistematis Lengkap (PTSL) Di Kantor BPN Kabupaten Grobogan, *Prosiding : Konferensi Ilmiah Mahasiswa Unissula (KIMU) 2*, Unissula Semarang, 18 October 2019, p. 353

<sup>14</sup>Maulida Soraya Ulfah & Denny Suwondo. Pelaksanaan Pendaftaran Tanah Sistematis Lengkap (PTSL) Di Kabupaten Demak. *Prosiding : Konferensi Ilmiah Mahasiswa Unissula (KIMU) 2*. Unissula Semarang. 18 October 2019. p. 2

implementation of the Complete Systematic Land Registration Policy (PTSL) in Majalengka Regency, namely:<sup>15</sup>

1. Low Public Understanding of the Importance of Making Certificates, In the implementation of complete systematic land registration (PTSL), there are still people who do not really understand the importance of Land Data Collection.
2. The existence of Land Tax Fees (Land Tax Fees (PPh and BPHTB Payable) this can be seen from the land registration process which is not purely the entire authority of the BPN, because there is a relationship with other agencies such as the Ministry of Finance in terms of Income Tax (PPh) and the Regional Government in terms of Land and Building Acquisition Tax (BPHTB) as well as PPAT/Notary for making deeds as a requirement to issue certificates. The requirement for PPh, BPHTB, and deed making fees is one of the main factors that hinders land registration. So far, the public's impression of taking care of certificates is expensive, long, and complicated. The costs are expensive because they have to pay for deeds, PPh, and BPHTB, the process is long because it takes time to take care of deeds, pay taxes, and the administrative process at the BPN, complicated having to go back and forth to the PPAT office, Pratama Tax Office, and the Office of the Regional Revenue, Financial Management and Assets Agency and BPN.
3. Lack of Systematic and Complete Pre-Registration Fee Regulations for Land Registration (Pra Ptsl). This program requires a fee of only Rp 150,000.00 per plot of land, based on applicable regulations. However, the reality on the ground shows that the Cigasong community in Majalengka Regency is charged Rp 950,000.00 for their certificate processing.
4. The lack of Human Resources, Facilities, and Infrastructure owned by the land office is diverse and uneven in relation to technological measuring tools, internet networks, computers, printers and office space capacity for work and for managing documents from the results of PTSL products which are quite numerous, as well as facilities and infrastructure for needs at the base camp, so a budget and cooperation with the Regional Government is needed regarding these problems.
5. Problems of Absentee Land, Maximum Excess, and Abandoned Land: Absentee/Guntai agricultural land ownership is land ownership located outside the owner's residence, for example in a different area or sub-district. At a minimum, to regulate absentee land, maximum excess land, and abandoned land, the following steps are taken:
  - a. Conducting outreach to the community regarding the prohibition on owning absentee land, excess land and abandoned land by coordinating with villages/sub-districts.
  - b. Record each plot of land to identify the subject and object of the land.

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<sup>15</sup>Interview with Mr. Wendi Isnawan, A.Ptnh.,MH, Head of the Majalengka Regency Office on May 5, 2024



- c. Carrying out order by means of voluntary release or revocation of land rights by providing compensation and the land being controlled by the state and redistributed to those entitled to receive it and/or the land being stored as a land bank.

In implementing PTSL in Majalengka Regency, BPN Majalengka experienced several obstacles, including:<sup>16</sup>

1. Technical, are things that occur due to technical errors that are outside the implementation estimates such as the unavailability of related parties such as the village head needed to fulfill the community file legislation so that it slows down the community in registering. In the field of measurement, the technical obstacles faced by the implementer are based on the evaluation of the implementation of complete systematic land registration (PTSL) in Majalengka Regency 2022, the measurement and mapping activities of land plots carried out have not been comprehensive in the village/sub-district areas that have been designated as activity locations, improving data quality for both registered mapped land plots (KW 1, 2, and 3) and registered land plots that have not been mapped (KW 4, 5, and 6) and unregistered land plots that are carried out in a complete systematic manner, grouped in one complete village/sub-district area. From the results of the work implementation, the following things were still found:

- a. The results of PTSL activity measurements and mapping are still sporadic.
- b. Data from measurements of unregistered land plots are still found to overlap with data from registered land plots that have been mapped.
- c. There is still overlap between the registered mapped land plots (KW 1, 2, 3).
- d. The registered land plots mapped do not correspond to actual conditions in the field.
- e. There are obstacles in the implementation of K4 land area mapping (KW 4, 5, 6).

2. Human resources are a limitation of the implementing staff. In practice, the ratio of field officers to the community served is very different. Therefore, the available implementers must work very hard to complete their work. Furthermore, there is a lack of public awareness in completing administrative requirements. In this case, public awareness plays a crucial role in the implementation of PTSL. If the community as applicants are not agile in fulfilling administrative requirements, it will hinder or affect the PTSL implementation process and is clearly very time-consuming. These obstacles have not discouraged the Majalengka Regency National Land Agency (BPN). The Majalengka Regency BPN has strived to ensure that the PTSL implementation continues as it should. The BPN's solution to this problem is to continuously improve the quality of its human resources (HR) apparatus, such as by holding workshops for officers and conducting extensive outreach to the community involved, so that the community is better prepared to

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<sup>16</sup>Interview with Mr. Wendi Isnawan, A.Ptnh.,MH, Head of the Majalengka Regency Office on May 5, 2024

implement PTSL. This improvement in HR quality is also prepared to modernize the office with the use of electronic systems. Modernization efforts are carried out by optimizing e-office for all land activities and will develop the use of e-filing systems and e-certificates supported by expert and skilled human resources. To overcome obstacles and problems in the implementation of PTSL, the Head of the Majalengka Regency Land Office continues to conduct evaluations based on the implementation of PTSL in the previous year (lessons and learned) as well as risk management.

3. Efforts to realize legal certainty in land registration, namely the issuance of land certificates regarding legal data and physical data, are a combination of legal certainty for land plots and rights holders. The nature of land certificates is strong evidence, but the matter emphasized in Article 19 Paragraph (2) of Government Regulation No. 24 of 1997 concerning Land Registration does not fully guarantee legal certainty and protection for land rights holders. This is because the land registration system adopted by Indonesia is a negative system with a positive tendency. Thus, everything listed in the land book and land rights certificates serves as strong evidence until it can be proven that something to the contrary is not true.

The implementation of the Complete Systematic Land Registration (PTSL) has been going quite well, although some obstacles remain. However, these obstacles do not disrupt the overall program. The National Land Agency (BPN) of Majalengka Regency is making maximum efforts and is responsible for the Complete Systematic Land Registration (PTSL) Program, in order to help accelerate the achievement of land registration targets in Indonesia. With the program's successful implementation, the community hopes that the Complete Systematic Land Registration (PTSL) program can continue to be implemented to help small communities obtain legally valid land certificates.

#### **4. Conclusion**

The effectiveness of the implementation of Complete Systematic Land Registration in preventing land disputes in Majalengka Regency has been effective, although there are several obstacles in it. This means that according to the author, PTSL can effectively prevent and resolve land disputes. Regarding the implementation of complete systematic land registration in Majalengka Regency through several stages, namely Preparation, Counseling, Legal Data Collection, Legal Data Processing and Proof of Rights, Land Inspection, Announcement, Validation, Issuance of Decrees on Determination of Rights and Decisions on Confirmation/Recognition of Rights, Bookkeeping of Rights, Issuance and Submission of Certificates, Document Management, and Reporting. Technical obstacles to the PTSL implementation in Majalengka Regency include the unavailability of relevant stakeholders from the sub-districts, and the incomplete

implementation of land measurement and mapping. Human resource constraints include limited staff and a lack of public awareness of the PTSL process. The solution is to comprehensively measure and map land in the designated village/sub-district areas, improve human resource quality, and conduct outreach to the community.

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### Interview:

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