

## **Complete The Systematic Land Registry Program At The Village Level**

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**ABSTRACT:** *There are still many landowners who have not registered their land, so it is not uncommon to cause potential land disputes in a variety and prolonged both between the people, private parties and the government so it is important to guarantee the certainty of land rights. But for the agrarian national program ran for approximately 35 years, only reached 44% of land registered. The research approach used is qualitative method and data source comes from primary data and secondary data as well as data collection techniques through observation, interview and supporting data documentation. Data analysis uses stages of data collection, data reduction, data presentation, and conclusion drawing from the source of the data obtained until saturated. The results showed that the complete systematic land registration program at the village level in terms of clarity of information did not touch all levels of society, lack of personnel of implementing staff, limited number of transportation equipment, and lack of incentives.*

**KEYWORDS:** *complete systematic land registration program, village, community.*

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### **I. INTRODUCTION**

The problem of land in the current development period is very wide and complex concerning many aspects of human life in society, both politically, legally, socially, economically and humanly. Each development requires land, both as a factor of production (agriculture and plantation), business space, industry, green open space and settlement.

Then in line with the increasing number of population growth and the intensity of development will also increase the need for land when the land area (area) of a country is increasingly limited and relatively fixed. Related to land issues require serious attention and handling from various parties because of the increasing number of people's land that is stuck in various economic activities, not infrequently cause potential conflicts / land disputes in a variety and prolonged both between the people, private parties and the government so it is important to guarantee the certainty of land rights.

While most land administration systems traditionally have the primary purpose of supporting the operation of the land market, they are increasingly evolving into a broader land information infrastructure that supports economic development, environmental management and social stability in developed and developing countries. While much attention is paid to land use policies around the world relating to areas such as forest management, coastal zone management, environmental sustainability and urban environmental management, less attention is paid to infrastructure that facilitates the implementation of related policies and programs. All of these activities rely on some form of land administration infrastructure that allows complex rights, restrictions, and responsibilities on the ground to be identified, mapped, and managed as the basis for the formulation and implementation of policies (Williamson, 2001).

One of the basic means required in the reorganization of the use, control and ownership of the land through the land registration process. This is contained in Article 19 (paragraphs 1, 2, 3, 4) Number 5 of 1960 concerning the Basic Rules of Agrarian Principles, and is specifically regulated by Government Regulation No. 10 of 1961 concerning "Land Registration" along with other implementing rules that are then refined in the new order era through Government Regulation No. 24 of 1997 concerning Land Registration. Land registration is very decisive in the right to guarantee land dependent rights can be held only the right to land that has been registered with the status of property rights, building rights, and business and land use rights are used as a means for investment or economic commodities.

Since the passage of the regulation for approximately 21 years there are still many landowners who have not registered their land. Therefore, in the framework of the implementation of Catur Tertib in the field of land as in Repelita III, the government is determined to carry out a mass land certification program to provide

guarantees of legal certainty for land tenure and ownership as a strong evidence in addition to reducing insecurity / sensitivity in the field of land as an effort to create social stability among the community.

Decree of the Minister of Home Affairs No. 189 of 1981 concerning Agrarian National Operation Project and came into force on August 15, 1981. In the reform era, the Decree of the Minister of Home Affairs No. 189 of 1981 was replaced by Regulation of the Minister of Agrarian affairs and Spatial Planning / BPN No. 01 of 2015 on Agrarian National Program and furthermore perfected by the Regulation of the Minister of Agrarian and Spatial Planning / BPN No. 04 of 2015 on Agrarian National Program.

But for the agrarian national program ran for approximately 35 years, only 44% of land was registered. (<https://www.kupastuntas.co>). During the administration of President Joko Widodo, accelerated land registration throughout the Republic of Indonesia. The government stipulates the Regulation of the Minister of Agrarian and Spatial Affairs / BPN No. 28 of 2016 concerning the Acceleration of Agrarian National Programs through the Systematic Land Registration which is then refined by the Regulation of the Minister of Agrarian and Spatial Planning / BPN No. 35 of 2016 concerning the Acceleration of Complete Systematic Land Registration. Then the Regulation of the Minister of Agrarian and Spatial Affairs / BPN No. 35 of 2016 was changed to Regulation of the Minister of Agrarian and Spatial Planning / BPN No. 1 of 2017 and further refined by the Regulation of the Minister of Agrarian and Spatial Planning / BPN No. 12 of 2017 concerning the Acceleration of Complete Systematic Land Registration.

Complete systematic land registration is a land registration activity for land that has never been registered and conducted for free and simultaneously for all objects of land registration in all regions of the Republic of Indonesia within the territory or part of a village / village.

This is a form of government responsibility to provide guarantees of legal certainty to the community in the field of land so as to create an orderly land administration, reduce and prevent land conflicts. All residents who have ownership rights to the land can register their land, get a guarantee of legal certainty for free, sure, fair, smooth, safe, fair, even, open, and accountable.

However, the public's interest in registering their land tends to be low, so to stimulate the interest of residents in registering their land, a complete systematic land registration program is created where the applicant is not charged. Nevertheless according to (Deininger et al., 2011) early efforts for soil certification in Africa are often unsuccessful, factors such as new laws, low-cost methods, and rising land demand have generated new interest.

## **II. METHODOLOGY**

The approach that will be used in the research of a complete systematic land registration program at the village level is a qualitative approach which is a process of research and understanding based on methodologies that investigate social phenomena and human problems. In this approach, researchers created a complex picture, examined words, detailed reports from the informant's view, and conducted studies on natural situations (Moleong, 2013) Qualitative methods are research procedures that produce descriptive data in the form of written and spoken words from people and observed behaviors (Bogdan and Taylor, 1975).

The data collection technique was conducted based on a complete observer, where researchers were not seen in the activities of the study subjects, but still made observations related to research objects using the five senses, especially the eyes and ears (Creswell, 2009). Close field observations, interviews are used to obtain primary data through unstructured interview techniques, and documentation studies in the form of document studies relating to systematic land registration are complete.

Data analysis as a process of systematically finding and compiling data obtained from interviews, field records and documentation so that it is easy to understand and its findings can be informed to others. Data analysis using interactive analysis i.e. Data collection, data reduction, data presentation and conclusion drawing and verification (Miles and Huberman, 1984).

The data process that has been submitted is done continuously by studying the data, grouping the data, finding what is important, according to the research problem and studying and deciding what to report. Through this analysis is attempted to reveal what data still needs to be searched, what questions to answer, what ways to update.

## **III. DISCUSSION**

In Indonesia systematic land registration is put forward by Harsono (2008), which mentions as a land registration activity for the first time conducted simultaneously white all objects of land registration that have not been registered in the territory or part of a village or village.

Then from the perspective of government policy, in Government Regulation No. 24 of 1997, mentioning the systematic land registration is the first land registration activity conducted simultaneously that includes all objects of land registration that have not been registered in the territory or part of a village / village. Systematic land registration carried out in the framework of the land registration process for the first time,

which includes, the collection and determination of the correctness of physical data and juridical data concerning one or more land registration objects for registration purposes.

But this national program for approximately 35 years, only reached 44% of land registered. During the administration of President Joko Widodo, land registration was accelerated throughout the Republic of Indonesia, through systematic land registration with the Regulation of the Minister of Agrarian affairs and Spatial Planning /BPN No. 35 of 2016 concerning the Acceleration of Complete Systematic Land Registration.

While initial efforts for soil certification in Africa are often unsuccessful, factors such as new laws, low-cost methods, and rising land demand have generated new interest (Deininger et al., 2011). A policy program will only be an elite record, if the program is not implemented. Therefore, policy program decisions that have been taken as an alternative problem solving must be implemented by administrative bodies and government agencies at the lower level (Dunn, 2017).

Policy implementation principle is a way for a policy to achieve its goals, nothing more and nothing less. When looking at public policy from a policy cycle perspective, policy implementation is the most important activity of the policy process (Udoji, 1981). Implementation of public policy with direct and direct impact of implementation so that according to him without effective implementation the decision policy makers will not be carried out successfully. The four variable indicators of communication, resources, disposition and bureaucratic structure (Edward III, 1980).

#### **IV. FINDINGS**

Beriwit village as a village located in Murung District Murung Raya which has topographical conditions dominated by slopes with an area of about 111 Km<sup>2</sup> and the population reaches 18,155 people (Central Bureau of Statistics Murung Raya Year, 2016). The location of Beriwit Village is in the district, city but the land that has been registered in Beriwit Village is only about 2292 fields with a total area of 1.73 Km<sup>2</sup> or approximately 1.5% of the area of Beriwit Village. The number of fields and land area given so Ratification of Land Rights according to the Village / Village in Murung Subdistrict in 2016, in Beriwit Village only 49 fields with an area of 110552 m<sup>2</sup> (catalog Murung Raya Subdistrict In Numbers, 2017).

Seeing the reality that occurred in Beriwit Village, then in 2017 a complete systematic land registration was carried out in Murung Raya Regency, where Beriwit Village was determined to be one of the locations of systematic land registration complete with a listed land target of 600 fields.

The National Land Agency of Murung Raya Regency applies the communication element not only in the internal office, but when coordinating with the Village Beriwit, neighborhood association and communicate the policies to the community correctly, accurately, accurately and consistently in order to be understood.

The complete systematic land registration comes as a form of government responsibility to provide legal certainty to people who have the right to land for free. There is no management fee for land registration through a complete systematic land registration program at the National Land Agency, and applicants are free from paying BPHTB.

The transmission of information is carried out in stages from the internal scope of the Office of the National Land Agency of Murung Raya Regency, submitted by the Regulation of the Minister of Agrarian affairs and Spatial Planning / BPN No. 12 of 2017 concerning the Acceleration of Complete Systematic Land Registration which is a guideline for the implementation of activities and stages and division of tasks. With the hope that the executives can understand the procedures of implementation of activities and can explain to the community.

Beriwit Village in conveying information through sending a letter of notification about the implementation of complete systematic land registration and its implementation agenda in the hope that it can help each other in succeeding the complete systematic land registration program. Then socialization to the community directly in junior high school 5 about the guidelines for implementation, terms and financing borne by the government and borne by the applicant. Attended by representatives of Beriwit Village, neighbors and community leaders in the hope that representatives can know and disseminate information about the implementation of activities.

Pick up the ball staff of the National Land Agency Murung Raya District down to the neighborhood of the neighboring community in order to convey about the requirements and also the applicant are freed from paying BPHTB and make it easier for residents. Nevertheless, the socialization and strategy of picking up the ball are still not aware of the complete systematic land registration activities because the dissemination of information does not touch all levels of society.

Then carry out the division of tasks, which include planning and preparation, determination of the location of complete systematic land registration activities, the establishment and determination of the Adjudication Committee for complete systematic land registration, counseling, collection of physical data and juridical data in the field of land, land inspection, announcement of physical data and juridical data in the field of land as well as proof of rights, issuance of decisions granting or recognition of land rights, bookkeeping and issuance of certificates of land rights, submission of certificates of land rights.

The implementation of the regulation on its financing refers to the Joint Decree of the Minister of Agrarian and Spatial Affairs/Head of the National Land Agency, Minister of Home Affairs, and Minister of Villages, Development of Disadvantaged Regions and Transmigration Number: 25/SKB/V/2017, Number: 590-3167A of 2017, Number: 34 of 2017 concerning financing of Preparation for Complete Systematic Land Registration. Then by the local government made Regent Regulation No. 19 of 2017 on the implementation and financing of systematic land registration complete. If you take care of passing through the village or village office there is a cost of RP. 250.000., but the applicant is still exempt from paying BPHTB.

But in Beriwit Village does not apply the financing, management, financing in the village office Beriwit free. Beriwit Village helps landowners to register / register an affidavit as proof of registration of community land ownership in the scope of Beriwit Village and the applicant can directly deliver his own file to the National Land Agency.

From the public also know about the information about the complete systematic land registration program and its requirements, but the interest of the community to register the land is still low, because the information received is not all, they know about the activities, the conditions, but some do not know about the special enforcement of complete systematic land registration in Beriwit Village that there is no financing for the management of registration numbers and applicants are exempt from paying BPHTB this is because during the socialization of Regent Regulation No. 19 of 2017 on the implementation and financing of complete systematic land registration is still not done.

The rules used from the beginning of the activity to the end of the activity are consistent, and never change. The regulation used is the Regulation of the Minister of Agrarian and Spatial Affairs / BPN No. 12 of 2017 concerning the Acceleration of Complete Systematic Land Registration in Chapter II the scope and objectives of Article 2 paragraph 2 stated that the main purpose of the implementation of complete systematic land registration is to accelerate the provision of legal certainty and legal protection of land rights of the community in a definite, simple, fast, smooth, safe, fair even and open and accountable so as to improve the welfare and prosperity of the community and the state economy, as well as reduce and prevent disputes land.

Land field objects are all objects of land registration that have not been registered from the preparatory stage to the stage of performance and financial responsibility. The National Land Agency of Murung Raya Regency is doing its utmost to serve the community to the maximum whether the residents of the Murung Raya district or other districts that have land rights in Murung Raya Regency. From the Beriwit Village office and the neighboring community are also consistent and very supportive of the running of this program.

Staff at the land office there are 11 civil servants and 8 technical personnel. For the implementation team of complete systematic land registration activities in Beriwit Village there is a division of tasks, namely the adjudication committee, which in the implementation of the adjudication committee assisted by a juridical task force and a physical task force with a target of 600 fields makes the staff of the National Land Agency of Murung Raya Regency overwhelmed and often overtime due to the inadequate number of employees when descending the spaciousness of the National Land Agency only send 1 chairman who is responsible for the team, 1 person who handles the juridical part, and 1 person the physical measurement section.

The resources in the village are sufficient, the form of service is the granting of the registration number of the statement letter while in the neighboring community in charge of making a cover letter to the chairman of the neighbor's own community alone is enough. Limited staff resources owned by the National Land Agency Murung Raya Regency, overcome by providing improved knowledge, insights of implements by involving staff in training, technical guidance related to the registration of complete systematic land and expertise as needed and involve the village and neighboring community in measurement activities so as to create good cooperation.

Headman Kelurahan Beriwit was included as a member of the adjudication committee for the implementation of complete systematic land registration activities in the Beriwit Village to help the community at the village level in terms of registering a statement letter as proof of registration of community land ownership in the scope of Beriwit Village. The chairman of the neighboring community helped the residents in making a cover letter, based on the conditions stated in the circular Number: 593/28/Kel. BR/2017 on the management of community land registration in the Beriwit Village.

The facilities in question can be in the form of physical office facilities, computerized administration, waiting rooms, information places, tools to measure the ground, as well as office transportation. The appearance of officers in serving applicants, waiting rooms, ease in the land registration process, discipline of officers, both in performing registration services and soil measurement, the use of tools for soil measurement, computers to input measurement data and juridical data. The National Land Agency of Murung Raya district has 1 car and 1 motor.

Due to the number of staff that exceeds the capacity of the transportation owned, it is assisted by using additional vehicles and private motorcycles. The waiting room is comfortably air-conditioned, comfortable seats for the applicant to occupy, land registration services are carried out smoothly, computer facilities for input of juridical and physical data are also adequate even though sometimes there are input errors and error applications. For measurement aids there is still less only satellite technology to measure large land areas and

use measuring tapes (meters) to measure small areas of land and because of the lack of measuring instruments cause to take turns using tools.

The service of giving the registration number of the statement letter in the village office Beriwit, it is very good there is a computer office facility. People can sit comfortably waiting in the waiting room. Services at the neighboring level of management related to this cover letter flexible hours and residents can come to the house of the chairman of the neighboring association at any time other than the curfew.

The effect of disposition in the implementation of complete systematic land registration in the Village Beriwit, namely the attitude of the task force implementing systematic land registration activities complete is in accordance with the implementation guidelines. The officers chosen to carry out this activity are officers who are dedicated to policy, follow the direction of the leadership and they are hardworking, sometimes they have to overtime because they have to input measurement data into the system. Beriwit Village in charge of serving the community at the village level in the service of granting the registration number of the statement letter implements the policy as mandated. At the level of the neighbors' harmony states that got direction from the headman Beriwit to carry out tasks at the level of the neighbor's harmony. The chairman of the neighboring community looks very much trying his best to provide the best service to the citizens in the making of a cover letter.

Bureaucratic regulation of activities in complete systematic land registration activities guided by the Regulation of the Minister of Agrarian and Spatial Affairs / BPN No. 12 of 2017 concerning the Acceleration of Complete Systematic Land Registration in article 8 of the head of the land office establishes and establishes a committee adjudication of complete systematic land registration and in article 9 adjudication committee assisted by physical task force and juridical task force established based on their competence and discipline. The composition of the team to accelerate the complete systematic land registration as outlined in the form of the decision of the head of the district land office is moody number: 18/KEP.62.12/VI/2017 and the inauguration of new officials, in the revision so the decision of the head of the land office of Murung Raya district number: 22/KEP.62.12/X/2017, with a clear target of 600 land areas for systematic land registration activities complete and expected 1 officer to reach the target of 15 file fields in one working day.

In the implementation of complete systematic land registration activities in the National Land Agency of Murung Raya Regency there is no incentive because a complete systematic land registration program is part of the duties and functions of the state civil apparatus to serve the community. But in this complete systematic land registry there is a calculated wage of a number of file fields. The source of funding for systematic land registration is complete from the DIPA regional office of the National Land Agency of Central Kalimantan Province in Fiscal Year 2017 Number: SP. DIPA- 056.01.2.431334/2017 dated July 3, 2017.

The office of the National Land Agency of Murung Raya Regency in the implementation of activity planning until the reporting stage is carried out based on the Regulation of the Minister of Agrarian and Spatial Planning / BPN No. 12 of 2017 concerning the Acceleration of Complete Systematic Land Registration. The National Land Agency of Murung Raya Regency in order to provide services to the community in the activities of granting rights and registration must achieve an orderly Sapta defense in the field of land. To achieve the orderly spite of land by improving service and dedication and high loyalty, each apparatus must earnestly and aware and responsibly to always carry out tasks in a technical order, personnel order and administrative order.

There is a division of the team and enforced the target of greetings a day, 1 person from the juridical and physical section at least get 15 field files. The instructions for the implementation of public land registration on the statement letter made by landowners, headman and chairman of the neighboring community do not follow the signature and statement letter made by the landowner must be registered at the village office to obtain the registration number as proof of registration of community land ownership in the local village.

The division of tasks includes adjudication committees assisted by juridical task forces and physical task forces in order to disseminate activity responsibilities. Physical task force to deal with measurement and measurement data input issues and the juridical part of the filing and input of the applicant's data to the system. When it comes down to space there is a small division of teams divided by regions. There are 3 people, consisting of 1 person from the adjudication committee team accompanied by 1 person from the juridical section, and 1 physical part.

But the implementation there are still staff who concurrently task and workload that exceeds the capacity of the staff so that there are staff who come down themselves to the field in order to measure and finally the landowner helps hold the measuring instrument and staff who record the size.

## **V. CONCLUSION**

Based on the above research, it is formulated the conclusion that the complete systematic land registration program at the village level includes the transmission of information carried out in stages, but the dissemination of information does not touch all levels of society, the lack of personnel of the implementing staff and information and transportation facilities, there are no incentives but there are wages calculated in the number of file fields, fragmentation in the division of tasks including adjudication committees assisted by

juridical task forces and physical task forces in order to provide guaranteed legal certainty to the community in the field of land optimally so that the creation of an orderly land administration.

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