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Author:

Binar Arco Gumilar, et al.

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Tlp. (0274) 587239

Fax: (0274) 587138

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Jl. Tata Bumi No. 5 Banyuraden, Gamping,

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COMMUNITY PARTICIPATION IN THE IMPLEMENTATION OF COMPLETE-SYSTEMATIC LAND REGISTRATION IN MAGELANG REGENCY

Nurani Aisyah^a, Kusmiarto^a

^aNational Land College (STPN), Jl. Tata Bhumi No.5, Yogyakarta 55293, Indonesia

Abstract

Community Participation, Systematic Land Registration, Land Office of Magelang Regency. This paper aims to discuss the added value of the community participation and identify work steps of land registration that involving community participation in the implementation of PTSL in the land office of Magelang Regency. The method used in this study is descriptive qualitative which describes the activities of community participation and identify information about obstacles in the field in the implementation of PTSL. The results of this study concluded that PTSL would run smoothly if there is community participation in terms of collecting juridical data, juridical and physical data entry and legal and physical data links. By involving the community in PTSL through designated officers, the community feels more involved and increase in enthusiasm, not only in determining the position of the object but also in realizing for the success of PTSL.

Keywords: Community Participation, Systematic Land Registration, Land Office of Magelang Regency.

A. Introduction

Article 19 of Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles (UUPA) mandates that to guarantee legal certainty, the government shall register land in all regions of the Republic of Indonesia, with the provisions stipulated in Government Regulation. The Government Regulation referred to is Government Regulation Number 10 of 1961, which was revised with Government Regulation Number 24 of 1997 concerning Land Registration.

According to Government Regulation Number 24 of 1997 referred to as Land Registration is a series of activities carried out by the government, continuously and regularly, including the collection, management, bookkeeping, and presentation and maintenance of physical and juridical data, in the form of maps and lists, concerning fields land parcels and apartment units, including the granting of proof of rights for parcels of land for which there are rights and ownership rights over the apartment units and specific rights which burden them.

To date, the ratio of registered land parcels throughout Indonesia have not reached 50%, despite the Government's efforts to accelerate land registration through programs as outlined in regulations relating to the implementation of land registration. The object of land registration covers parcels of land that are owned with ownership rights, usufructuary rights, building use rights, and usufruct rights, management rights, waqf land, ownership rights over flats, mortgage rights, and state land. In the case of state land as the object of land registration, registration shall be carried out by recording the land parcels that constitute state land in the land register.

Based on data from the data centre and information of the Ministry of ATR/BPN in 2017, data on the number of registered parcels in the entire territory of the Republic of Indonesia is only 44% of around 100 million parcels of land in Indonesia. In 2018, the target set by the government was 8.394.000 parcels for physical data collection, while for juridical data collection

it was targeted at 7.842.317 parcels. The registered land data in Magelang Regency in 2018 was 40.5% (421,924 parcels) of the total land parcels of around 1.040.854 parcels.

To achieve the target as mandated, accelerated mass registration of land is carried out to pursue that goal. The activity of accelerating complete land registration is one of the national priority programs as stipulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency Number 35 of 2016 and updated with the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency number 1 of 2017 and finally revised by Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency Number 6 of 2018.

Problems arising from the "delay" of the land registration program are in terms of carrying out land registration and the consequences of carrying out land registration. Two prominent issues in carrying out land registration are the issue of regulations and the problems of the implementing apparatus because these two things need to be explicitly highlighted how far the rule is implemented and how now the implementing apparatus can carry out.

The preparation of human resources in the Ministry of ATR/BPN has been carried out by the National Land College, through the educational program Diploma I Cadastral Surveying and Mapping Program, especially measurement officers, with a Cadastral Assistant Surveyor license, which annually graduates around 320 people Assistant Cadastral Surveyor. In 2016, after 21 years of its establishment, DI-PPK STPN had produced 5234 alumni with 2681 people (51%) working for the ministry of ATR/BPN and 2553 people (49%) working as Cadastral Surveyor Assistant (ASK) or in other sectors. (Aisyah and Kusmiarto, 2018). By comparing the number of parcels that should be measured and mapped with the number of D1-PPK alumni, it is assumed that the Ministry of Agrarian Affairs and Spatial Planning (ATR/BPN) is lack of human resources of cadastre surveyor to meet the goal. To be able to meet the human resource needs of Surveying and Mapping Officers/Cadastral Surveyor Assistant, the Ministry ATR/BPN organizes vocational training, with a curriculum that is tailored to the learning curriculum in the Cadastral Surveying and Mapping Diploma I Program. The Vocational training is a short six months of education and training for the candidate of Cadastral Surveyor Assistant, organized by Office of ATR/BPN throughout Indonesia. The requirements to follow this program are at least graduated from High School or Vocational High School (Kusmiarto and Aisyah, 2018). Thus the preparation of human resources to carry out mass land registration activities is expected to be accelerated.

However, the acceleration of the preparation of human resources has not yet affected the acceleration of land registration activities; furthermore, we need a model that involve people so that the implementation time can be accelerated, a land registration model that includes community participation is necessary. There are many models of community participation can be implemented to help expedite the implementation of activities/work programs implemented by the government (Kusmiarto, Yulfa, and Mustofa, 2018).

In Magelang Regency, the implementation of land registration activities was carried out by implementing a community participation model. Complete-Systematic Land Registration

(PTSL) activities carried out in Magelang Regency in 2018 are 45,000 parcels of land with the realization of PTSL to date 421,924 parcels of land or 40.5% of the total land parcels. This paper aims to find out more the importance of the role of rural communities in this PTSL. The aims this paper are (1) to describe community participation in the implementation of PTSL in the Land Office of Magelang Regency; (2) knowing the added value of carrying out community participation in the implementation of PTSL.

B. Methods

This research is descriptive qualitative, describing the focus of the study covering the activities of the juridical data collection process, legal and physical data entry and juridical and physical data links and knowing the role of the community in filing juridical and physical data for the implementation of complete systematic land registration. While qualitative is intended to describe information about obstacles in the field in the implementation of these activities.

The reason for choosing a location in Magelang Regency is that a Complete Systematic Land Registration (PTSL) activity is currently being carried out involving community participation. Variables used include the stages of implementing a complete systematic land registration namely: (a) determining the location of activities for the complete systematic land registration acceleration; (b) the establishment of the acceleration adjudication committee; (c) collection of physical data and juridical data on parcels of land; (d) verification of rights and accounting for land rights; (e) issuance of certificates of land rights, at the non-physical data collection stage. The stages that are in focus are stage c: physical data collection and juridical data.

The types of primary data collected are in the form of interviews with the Head of the PTSL team and officials who are responsible and responsible for the implementation of this activity, whereas secondary data came from filing work documents from the juridical task force activities of the adjudication committee for the acceleration of complete systematic land registration in Magelang regency.

The data collection techniques used in this study were by an interview with land office officials of the Magelang Regency, as well as from documentation, namely identifying for documents/archives which form the basis of work mechanisms in implementing a complete systematic land registration. Data analysis was performed by looking at each research variable associated with the research objectives so that the two proposed research objectives could be answered.

C. Result and Discussion

1. Community participation in the implementation of PTSL in Magelang Regency

PTSL according to Regulation of the Minister of ATR/BPN No. 6/2018 is the land registration activity for the first time carried out simultaneously for all land registration objects in the entire territory of the Republic of Indonesia in one rural/urban area or other name of the

same level, which includes the collection of physical and juridical data concerning one or several object of land registration for registration purposes. The objectives of PTSL are (1) to realize legal certainty and legal protection of community land rights based on simple, fast, smooth, safe, fair, equitable and open and accountable principles; (2) increasing the welfare and prosperity of the people and the economy of the state; (3) reduce and prevent land disputes and conflicts. Completion of PTSL activities includes 4 clusters: Cluster 1 (K1), i.e., land parcels whose physical and juridical data meet the requirements for the issuance of a land rights certificate; Cluster 2 (K2), i.e. land parcels whose physical and legal data meet the requirements for the publication of their land rights certificate but there are cases in the court and/or dispute; Cluster 3 (K3), i.e. land parcels whose physical and juridical data cannot be recorded and issued a certificate of land rights because the subject and/or object of the rights have not fulfilled specific requirements stipulated in this ministerial regulation; and Cluster 4 (K4), i.e. land parcels whose objects and subjects have been registered and have been certified, both uncharted and mapped but not in accordance with field conditions or changes in physical data, must be mapped into a systematic complete land registration map.

The total number of parcels of land registered in Magelang Regency was 421.924 parcels (40.54%) of the total number of 1.040.854 parcels of land. The description of PTSL in the land office of Magelang regency can be seen when compared to the targets at the central and provincial level in central java, for more details can be seen in Table 1.

Table 1. PTSL targets in Central, Central Java Province and Magelang Regency

Year	Central (Parcels)	Province (Parcels)	Regency (Parcels)
2017	5.000.000	645.983	17.500 (2.7%)
2018	7.000.000	1.200.000	45.000 (3.7%)
2019	9.000.000	1.575.000	60.000 (3.8%)

From Table 1. can be seen that PTSL in 2017 with a target of 17.500 parcels in Magelang is still sporadic system, not yet carrying out systematic land registration in terms of the number of applicants adjusting the ability of each village. In 2017, PTSL implementation was spread in 54 villages. In 2018, PTSL, the target of PTSL was 45000 parcels can carry out ultimately, with all land parcels registered whether or not certified. In 2018, PTSL was spread in 24 villages. The target of the Magelang Regency in the last three years continues to increase. For the smooth implementation of the PTSL is based on the objectives of the program which aims to ensure legal certainty of land rights, improve people's welfare and reduce disputes or conflicts, then for the success of the government program it needs to involve the community, so that the community can play an active role and become part of the program, so that eager to help the implementation of the program.

PTSL activities are carried out in stages: (1) Planning; (2) location determination; (3) preparation; (4) the establishment of the PTSL adjudication committee and task force; (5)

counseling; (6) physical and juridical data collection; (7) research of legal data for proof of rights; (8) announcement of physical and juridical data and their legalization; (9) affirmation of conversion, recognition of rights and granting of rights; (10) bookkeeping rights; (11) issuance of certificates of land rights; (12) documentation and submission of results of activities; (13) reporting.

The implementation of PTSL is constrained in juridical data collection activities, whereas physical data collection activities have been completed well in advance. The difficulty of juridical data collection is mostly since when the juridical data collection was carried out, the landowner was not in place or was unknown to the surrounding community. For more details, the obstacles identified by the land office in implementing PTSL are as follows: (1) PTSL regulations, but the implementation is still targeted as K₁; (2) The existence of 3 (three) ministerial joint decision letter regarding low pre-PTSL costs; (3) The basis of letter's rights c that has been disconnected from the current owners; (4) Low public awareness to certify their land; (5) Not balanced between the target and the availability of human resources and existing equipment; (6) Juridical data collection for K₃ are delicate because the community response is non-existent/passive; (7) Synchronizing existing parcels in map with new parcels is difficult; (8) Implementation of K₄ on the certificate is difficult, because it is not responded by the public.

By looking at the identification of obstacles in the field, most of which relate to the community, the Magelang District Land Office began to implement this program by involving the community directly, namely at the sixth step, namely the collection of physical and juridical data. However, in this case, the collection of physical data is carried out by a third party with self-management. Juridical data collection is carried out by working groups formed in the hamlet with members of the hamlet head and designated community members. Each working group is accompanied by officers from the land office who are in charge of directing or providing solutions if there are difficulties/obstacles in the field. The working groups are tasked with completing juridical data collection with a focus on their respective hamlets, so the number of working groups depends on the number of hamlets in the village concerned. This effort is more effective because the working group consisting of the hamlet head and one community member knows better the history or physical condition of the land parcels in the hamlet area, so that the juridical data collection officer is relatively faster, or in other words the obstacles due to the low response of the community can overcome. As evidence, we can see in Table 2. below, which shows an increase in the number of targets and realization from 2017 to 2019.

Table 2. PTSL Targets and Realization of Magelang Regency in 2017-2019

Year	Targets (Parcels)	Realization (Parcels)
2017	17.500	17.200
2018	45.000	43.783
2019	60.000	49.408

2. ***Added Value from The Implementation of Community Participation***

Several influential factors to make the community participation approach workable are: (1) Motivation, incentives for groups to work together must be present if interaction and involvement are to be continued; (2) Community leadership, the existence of leadership structures in formal and informal organizations in the community; (3) Ability to do a Learning approach, the flexibility to try new activities and methods and provide feedback mechanisms to learn from success and mistakes. In this case, the community has given the right to make their own choices and bear the consequences; (4) Resources, the capability of resources in the community (Yeung and McGee, 1986). In (Sastropetro, 1988), Gordon W. Allport argues that a person who participates experiences the involvement of his ego which is more than participation in work or task alone, which means the participation of his thoughts and feelings. While Keith Davis said that involvement in the mental involvement of a person's thoughts and emotions/attitudes in a group situation that encourages him to contribute to the group to achieve goals and take responsibility for the business concerned.

Based on some of the theories, it is known that people will be motivated to do something if they know that there is an effect on sustainability. If the community has merged into a role that he believes has benefits, then the ego of the person/community is not just eager to complete the task, but there has been involvement of his thoughts and feelings. This condition causes a community group to be more motivated to contribute or anything to achieve the goals of the group that they have known before. If this is related to community participation in the implementation of PTSL, then the condition of the community in Magelang Regency by being involved in working groups related to PTSL activities, they are increasingly included emotionally that their role is very decisive in achieving their goals, so they are more eager to undertake to collect juridical data, juridical and physical data entry and juridical and physical data links, with consideration that the sooner they complete the work, the faster the land parcels in their hamlet will be registered.

D. Conclusions

The results of this study concluded that PTSL would run smoothly if there is community participation in terms of collecting juridical data, juridical and physical data entry and juridical and physical data links. By involving the community in PTSL through designated officers, the community feels more involved and increasing enthusiasm, not only in determining the position of the object but also in realizing for the success of PTSL.

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