

Revitalization of Complete Systematic Land Registration (PTSL) Program as a form of Agrarian Reform in the Field of Socioeconomic Mapping of Society

Onny Medaline¹, T. Riza Zarzani², Ayumi Kartika Sari³

^{1,2,3} Master of Law Program, Universitas Pembangunan Panca Budi Medan, Indonesia 20122

Corresponding Author: Onny Medaline

ABSTRACT

Complete Systematic Land Registration (PTSL) program launched is an effort by the Government to build the quality of life of the community. Therefore, PTSL program is expected to solve land problems in Indonesia, community poverty problems, increase land productivity, and provide recognition of land rights to meet the interests of the community. So the purpose of this research is to identify the obstacles faced in the implementation of PTSL program in the effort to achieve agrarian reform, to analyze the impact of socioeconomic fields on the granting of land rights certificate through PTSL program. Empirical research methods, namely research that examines the law in society, seeks qualitative truth by obtaining data and finding symptoms that develop in the community, especially in Langkat Regency and Medan City. Data analysis using SWOT analysis by looking at opportunities (opportunity) that can be utilized by the public in achieving the expected socioeconomic and governmental improvement by using strength, so that optimal results are obtained in solving land problems. The expected research results from PTSL program can have an impact on the legal certainty of the field of land as well as as efforts to increase socioeconomic equality of people.

Keywords: PTSL, Agrarian Reform, Socioeconomic Mapping

INTRODUCTION

Land is one of the sources of livelihood and livelihood for people as it becomes the most basic need, with the belief of how highly valued and beneficial the land is for human life, even the land and man are inseparable. Humans live and thrive and do activities on the ground so that at all times humans are related to the soil. Land that is one of the natural resources of producing goods and services and plays a very important role for livelihoods and human life.

According Istiqamah (2018:227-228) from the provision stipulated in the UUPA that the government is the supreme ruler of all in Indonesia, and the government has an obligation to register all land in Indonesia. So a Government Regulation No. 10 of 1961 was established on Land Registration. The Government Regulation is a product of the law born to implement the provisions of Article 19 of the UUPA. The background to the release of government regulation No. 10 of 1961 is that there is legal uncertainty regarding ownership of land rights as well as its boundaries, the basis for implementing the discretion of the land administration, and the information on land rights expressed in the form of maps and lists.

This Complete Systematic Land Registration System has been regulated by the Government through Ministerial Regulation No.1 of 2017 as a guideline in

carrying out complete systematic land registration in the field of juridical and as standardization and uniformity in carrying out complete systematic land registration in a juridical manner. Similarly, the regions according to Minister Regulation have been given responsibility in realizing the success of this program.

According Moh. Hatta (2014:38) Certificate is a proof of valid right as a powerful proof of physical data and juridical data located in it, as long as the physical data and juridical data are in accordance with the data in the measuring letter and the land book of the rights concerned. In registering land is not easy, then not just anyone who can do it, it is necessary to go through the processes, administration that has been determined by the government as the organizer of the State. Land registration is a very important issue in the UUPA, because land registration is the beginning of the process of birth of a proof of ownership of land rights. So important is the issue of land registration that uupa ordered the government to register land throughout Indonesia (Boedi Harsono (2008:536)

LITERATURE REVIEW

Agrarian Reform

Agrarian reform is the restructuring of the structure of mastery, thought, use, and utilization of land through asset structuring and accompanied by the arrangement of access to the prosperity of the Indonesian people. While the understanding of Agrarian Reform is a systematic, planned, and relatively quick effort, in a certain period of time and limited, to create prosperity and social justice and to open the way for the establishment of a new democratic and just society; which began with the step of reorganize mastery, use, and other natural wealth, followed by a number of other supporting programs to improve the economy of the people in general.

In Agrarian Reform there are 5 priority programs, among others: (1) strengthening the regulatory framework and agrarian conflict resolution, (2) the

structuring, mastery and land ownership of agrarian reform objects, (3) legal certainty and legalization of land ha katas, (4) community empowerment in the use, utilization and production of agrarian object land, and the last (5) institutional implementation of central and regional Agrarian Reformation. On the other hand, President Jokowi placed Agrarian Reform as a priority agenda in rpjmn 2015-2019 which is regulated in Presidential Decree 45 of 2016 concerning government work plan (RKP). Land covering 9 million hectares is promised as the object land of Agrarian Reform (Tora) from forest and non-forest areas in the form of legalization of land and redistribution of assets. To expand access to community governance.

In the acceleration of Agrarian Reform is defined as asset reform and acces reform. The asset reform in question in Agrarian Reform is the restructuring of land ownership, ownership, use and utilization, in order to create a justice in the field of land ownership and possession, which is; land certification, acceleration of land registration, inventory of land ownership, ownership and use in the arrangement of access there are 2 programs namely Transmigration and Complete Systematic Land Registration (PTSL). While access reform is to provide opportunities for capital access and other assistance to the objectives of agrarian reform in order to improve welfare based on land utilization commonly called community empowerment. Agrarian reform in the access arrangement is: the release of forest areas, EX-HGU and derelict land.

In Presidential Regulation no. 86/2018 on Agrarian Reform it is mentioned that the objectives of Agrarian Reform are to reduce inequality, mastery, and land ownership in order to create justice, deal with agrarian disputes and conflicts, create a source of prosperity and prosperity of agrarian-based communities through regulations of mastery, ownership, use and utilization of land, create jobs to reduce poverty, improve people's access to

economic resources , improving sovereignty and food security, and lastly maintaining people's quality of life.

Complete Systematic Land Registration (PTSL)

According to government regulation number 12 of 2017 on Accelerating Complete Systematic Land Registration are:

"Land Registration activities for the first time conducted simultaneously for all Land Registration objects throughout the Territory of the Republic of Indonesia in one village/village area or other name of that level, which includes the collection of physical data and juridical data on one or more Land Registration objects for the purposes of registration"

This Complete Systematic Land Registration Program (PTSL) was established based on Ministerial Regulation ATR/BPN No. 35 of 2016 on Accelerating Complete Systematic Land Registration. Complete systematic land registration or Complete Systematic Land Registration (PTSL) is a Program of the Government through the National Land Agency. The sluggish land certification process that has been complained about by the public attracts the attention of the government. Therefore, the creation of a national priority program in the form of accelerating Complete Systematic Land Registration. Complete Systematic Land Registration (PTSL) is a form to ensure the certainty of legal protection of public ownership. People who have been certified land can make certificates as financial inclusions or capital assistance usha that are empowered and successful in order to improve the welfare of their own people's lives.

According to Ana Silviana (2018:292), in addition, Complete Systematic Land Registration (PTSL) can reduce the problem of land disputes that have mushroomed in Indonesia. Complete Systematic Land Registration (PTSL) funding is sourced at the State Budget. Complete Systematic Land Registration Object (PTSL) covers all areas of land

without exception, whether land rights, land assets of Local Government, land of State-Owned Enterprises/ State-Owned Enterprises, village land, State land, customary law land, forest areas, land object land reform, land transmigration, and other land fields. (Article 3 Regulation of the Minister of Agrarian and Spatial Ity /Head of National Land Agency No. 1 of 2017).

According to Afden Mahyeda (2017:2), Complete Systematic Land Registration (PTSL) became one of the Nawacita Jokowi-JK programs contained in Agrarian Reform. The government targets the success of Complete Systematic Land Registration (PTSL) very highly. But factors such as: the availability of human resources, equipment and technology, as well as in terms of budget are still the main obstacles in achieving targets.

One of the stages of the land collection activity is the physical data collection activity. The collection of physical data in order to accelerate complete systematic land registration (PTSL) will be optimal results if in the implementation of measurement and mapping of land fields is carried out systematically grouping in one complete village/village area, in addition to having to be supported by the availability of a basic map of land registration. This is a differentiation from previous asset legalization projects. In addition to the implementation of techno, the financing factor of the activity also experienced a significant decrease.

According to the technical instructions for the implementation of the Complete Systematic Land Registration (PTSL) budget 2018 mentioned that, the target of asset legalization in 2018 as stated in the Ministry of Agrarian and Spatial Affairs / National Land Agency is as much as 8 million land map (PBT) and 7.5 million certificate land rights (HAT).

According to Dian Aries Mujiburohman (2018:89), the Office of the National Land Agency which targets 126 million land fields in Indonesia is registered and certified in total by 2025. It then

outlined in targets 5 million fields in 2017, 7 million fields in 2018, 9 million fields in 2019 and 10 million each until 2025. Because if land registration is done sporadically a year approximately 500 thousand fields, it takes 160 years for the land to be registered throughout Indonesia.

The main purpose of Complete Systematic Land Registration (PTSL) is the systematic legalization of assets so that it can provide legal certainty to land rights holders quickly, safe, fair, sure, and simple. The goal of Complete Systematic Land Registration (PTSL) is the achievement of land order chess in Indonesia in order to carry out development properly and without obstacles. It also minimizes the conflict of land disputes.

The Ministry of ATR/BPN has established the Regulation of the Minister of Agriculture and Spatial Affairs/Head of the National Land Agency No. 28 of 2016 on The Acceleration of The National Agrarian Program through Complete Systematic Land Registration. However, the limitation of human resources with the competence of the Ministry of ATR/BPN survey caused the acceleration of land registration to be hampered so that the involvement of professionals and industry survey and mapping.

Furthermore, the Regulation of the Minister of Agrarian and Spatial Development /Head of the National Land Agency of the Republic of Indonesia No. 35 of 2016 on The Acceleration of The Implementation of Complete Systematic Land Registration. The involvement of professionals and sources of financing outside the State budget in the Ministry of ATR /BPN is accommodated. Some principles operationally in land registration have not been regulated so that changes to the Ministerial Regulation stipulated by the Minister of Agriculture and Spatial Regulation /Head of the National Land Agency of the Republic of Indonesia No. 1 of 2017 on Changes to the Regulation of the Minister of Agriculture and Spatial Planning /Head of national land agency No. 35 of

2016 on Accelerating the Implementation of Complete Systematic Land Registration.

The implementation of PTSL based on the Regulation of the Minister of Agriculture and Spatial Planning /Head of national land agency No. 35 of 2016 and Regulation of the Minister of Agrarian and Spatial Planning /Head of the National Land Agency of the Republic of Indonesia No. 1 of 2017 is still experiencing obstacles and obstacles. Therefore, the Regulation of the Minister of Agrarian and Spatial Planning /Head of national land agency No. 2 of 2017 on the Acceleration of The Implementation of Complete Systematic Land Registration. In the previous provisions of PTSL, there are still some problems in the implementation so that it requires the improvement of substance /material by adjusting to the provisions of the legislation governing the registration of complete systematic land throughout the territory of the Republic of Indonesia well, then established the Regulation of the Minister of Agrarian and Spatial /Head of national land agency No. 6 of 2018 on the Acceleration of The Implementation of Complete Systematic Land Registration.

Complete Systematic Land Registration (PTSL) which is very popular with the term land certification is a form of implementation of the government's obligation to provide certainty and legal protection of public land ownership. In addition, later people who have obtained the certificate can make the certificate as a capital assistance business that is empowered and successful to improve the welfare of its life.

METHODOLOGY

The research method used in this study is a descriptive research method with a qualitative approach. It is reviewed from the problem and the purpose of the research. Qualitative research requires information in the form of descriptive or more require meaning that is behind the descriptive of the data. According to (Zuriah, 2006) research using descriptive methods is a study

directed at providing systematic and accurate symptoms, facts and events regarding the properties of a particular population or region.

RESULT AND DISCUSSION

Obstacles Faced in the Implementation of Complete Systematic Land Registration Program (PTSL) in Efforts to Achieve Agrarian Reform

In each implementation of a policy, it certainly has its own challenges and obstacles experienced by its executors. Similarly, the implementation of complete Systematic Land Registration Policy (PTSL)) in the issuance of land certificates thoroughly by the National Land Agency (BPN) of Medan city and Langkat Regency. Some of these impediment factors are technical problems, such as the absence of relevant parties needed in fulfilling community file legislation so as to slow people down in registering. In other ways, public awareness also plays an important role in the implementation of Complete Systematic Land Registration (PTSL) because if the community as applicants is not deft in meeting administrative requirements it will hinder or affect the process of implementing Complete Systematic Land Registration (PTSL). In the field of measurement, the technical obstacle faced by officers is the unavailable community of land juridical data owners in making measurements between the boundaries of the land to be measured. Thus causing delays in the measurement process. Based on the analysis conducted, in the Regulation of the Minister of Agriculture and Spatial ity/ Head of the National Land Agency of the Republic No. 6 of 2018 on Complete Systematic Land Registration it is clear that there is an application of the principle. Contained in Article 2 which basically says that the PTSL program of this government is implemented to provide legal certainty and legal protection of land rights to the community definitively in the form of certificate granting, with a simple process quick lancer, safe, fair, even and open to

anyone without exception by meeting the requirements that have been specified in the legislation and accountable where there is accountability from the organizers of this program.

Although in reality the certificate obtained from the registration of land has not fully guaranteed legal certainty and legal protection of the subject or object of the land, evidenced by the middle of the community there is the fact that there are still many problems or disputes of land that have registered rights to the land, in other words the land is already certified.

This government is considered to be good at providing legal certainty and legal protection of landowners, this is demonstrated by the seriousness of the central government by continuously updating the regulation of accelerated land registration which is welcomed by the local government as an officer directed with one procedure set out in the technical instructions of the implementation of the acceleration of complete systematic land registration. However, the government must continue to find solutions and improve the land registration system in order to optimize the purpose of land registration, namely to provide guaranteed legal certainty and in real legal protection.

That in order to register all areas of land in the territory of the Unitary State of the Republic of Indonesia as mandated in article 19 of Law No. 5 of 1960 on the Basic Rules of Agrarian Fundamentals, the government established the program of accelerating Land Registration through Complete Systematic Land Registration. PTSL's policy wants change, namely the data of all areas of land in Indonesia to realize the provision of legal certainty and legal protection of Land Rights so as to improve the welfare and prosperity of the country's people and economy, as well as reduce and prevent land disputes and conflicts.

Impact of Socioeconomic Community on Granting Certificate of Land Property through Complete Systematic Land Registration Program (PTSL)

According to Zaidar (2006:159), in a broader context for the registration of this land in addition to providing assurance to legal certainty and providing information about a field of land both its use, its utilization and information about what the land should be used for, as well as information on what capabilities are contained therein and so is the information about its own buildings, the price of the building and its land as well as the taxes set for the land/building.

According to Hadi Setia Tunggal (1981:6), the registration of land aims to ensure legal certainty on the land, by registering the land, it will be able to easily know the status and legal position of the particular land it faces, both regarding the location, area, borders and landowners and other burdens if any, such as the burden of dependent rights.

Due to the increasing progress in all fields, the more people's land related to economic, socio-cultural and other purposes, resulting in the increasing transaction related to land, such as buying and selling, renting and as collateral.

Related to this, the more it feels the need for guaranteed legal certainty and certainty of rights in the field of agrarian. To fulfill that upa in Article 19 that states that the registration of such land needs to be done to ensure legal certainty.

CONCLUSION

That in general the implementation of Complete Systematic Land Registration in Medan city and Langkat in its implementation can already run well, although in the field there are still some obstacles or constraints, such as: the number of landowners who are not in place, the lack of public awareness to follow this PTSL program, and the constraints of PTSL officers in determining the land boundary to be measured. Based on quantity, in remote

or suburban areas, the officers carrying out this PTSL program are still very limited in number. Towards planning unmet field targets, the transfer of field target planning to areas whose communities have higher enthusiasm. For areas of land where physical data and juridical data cannot be done and published As a Result of Land Rights, it can participate in the next PTSL program.

Through Nawacita Joko Widodo's government has established a strategic program in the field of land, one of which is the acceleration of the implementation of land registration. One method for accelerating land registration is through the Complete Systematic Land Registration strategy is expected to accelerate the process of granting guarantees and protection of Land Rights throughout Indonesia as well as one of the objectives of enacting the Agrarian Principal Law to be realized immediately. The PTSL program will be implemented regularly every year, where most of the funding sources are borne by the Government, as well as the stages in the implementation of PTSL in Medan city can already run properly and has been implemented in accordance with the prevailing provisions in Regulation of the Minister of Agrarian No. 6 of 2018.

REFERENCES

1. AP. Parlindungan, Pendaftaran Tanah di Indonesia, Mamdar Maju, Bandung, 1999, p. 37
2. Boedi Harsono, Hukum Agraria Nasional, Sejarah Pembentukan Undang-Undang Pokok Agraria, Isi dan Pelaksanaannya, Jilid I Hukum Tanah Nasional" Djambatan, Jakarta, 2008, p.536
3. Hadi Setia Tunggal, Pendaftaran Tanah Beserta Peraturan Pelaksanaannya, Jakarta, Harvindo, 1981, p. 6
4. Istiqamah, "Tinjauan Hukum Legislasi Aset Melalui Pendaftaran Tanah Sistematis Lengkap (PTSL) Terhadap Kepemilikan Tanah" Jurisprudentie. Vol.5. 1, Juni 2018, p. 227-228
5. Moh. Hatta, Bab-bab Tentang Perolehan dan Hapusnya Hak Atas Tanah, Liberty, Yogyakarta, 2014. p. 38

6. Ote Salman, dkk, *Beberapa Sosiologi Hukum*, Bandung: Alumni, 2012), p. 90-91
7. Philipus M. Hadjon, *Perlindungan Hukum Bagi Rakyat Indonesia*, PT. Bina Ilmu, Surabaya, 1987, p. 29
8. Ronny Hanitijo Soemitro, *Metodologi Penelitian Hukum dan Jurimetri*, Jakarta: Ghalia Indonesia, 1990, p. 57
9. Zaidar, *Dasar Filosofi Hukum Agraria Indonesia*, Medan: Pustaka Bunga Pers, 2006, p. 159
10. Istiqamah, "Tinjauan Hukum Legislasi Aset Melalui Pendaftaran Tanah Sistematis Lengkap (PTSL) Terhadap Kepemilikan Tanah". *Jurisprudentie*. Vol.5. 1, Juni 2018, p.227-228
11. Ana Silviana, "Sinden Betapa Metode Menuju Tertib Administrasi Bidang Pertanahan (Studi di Desa Trisari Kecamatan Gabug Kabupaten Grobongan)", *Masalah-masalah hukum*, Jilid 47 No 3, Juli 2018, p. 292
12. Dian Aries Mujiburohman, "Potensi Permasalahan Pendaftaran Tanah Sistematis Lengkap (PTSL) *Bhumi* Vol. 4 No.1, Mei 2018, p. 89322.
13. Constitution of the Republic of Indonesia 1945; Decree of the People's Assembly Number: IX/MPR/2001 on Agrarian Reform and Natural Resource Management;
14. Law No. 5/1960 on Basic Basic Rules-Agrarian Principals; Presidential Regulation No. 86/2018 on Agrarian Reform.
15. Presidential Instruction No. 2/2018 on Accelerating Complete Systematic Land Registration throughout the Republic of Indonesia.
16. Regulation of the Minister of Agriculture and Spatial ity/Head of National Land Agency 26 of the Republic of Indonesia No. 12/2017 On Accelerating Complete Systematic Land Registration.

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