



Violation of Standard Operational Procedures Registration of Incompatible Land Certificates with General Principles of Good Governance

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Abstract

The issuance of the certificate is contrary to the General Principles of Good Governance (AUPB), but the judge's decision only examined the plaintiff's argument regarding the violation of the principle of accuracy. The aim of this research is to analyze violations of Standard Operating Procedures (SOP) for land certificate registration which are not in accordance with AUPB according to Decision Number 12/G/2019/PTUN.JBI as well as improving land office services related to the land certificate registration process whose mechanism is in accordance with AUPB. This research is normative legal research which is analyzed qualitatively. The results of this research are that it not only violates the principle of due diligence, but also violates the principle of legal certainty, the principle of fair play, and the principle of abuse of authority because the certificate was issued on the plaintiff's land and the implementation of the SOP for land registration is not in accordance with statutory regulations. Improvement of Jambi City Land Office services starting in 2022 by implementing the Sentub Tanabku application, socializing videos and short films via Instagram, implementing PTSL and DIP4T in the sub-district where the dispute object is located; in 2023 implementing the GPS Map Camera and GEMAPATAS applications; and in 2024 implementing electronic land certificates.

Keywords: *Standard Operating Procedures; Land Certificate Registration; General Principles of Good Governance, Land Office.*

A. Introduction

Based on the Directory of Supreme Court Decisions, there are the types of cases with the largest number, namely tax cases (32.033 decisions) and land cases (16.898 decisions).¹ AUPB means legal rules that must be implemented and obeyed by Indonesian administrative bodies/officials in carrying out their actions.² As more and more people are starting to register their land, a total of 6.875 decisions that were accessed from 2019-2024 arose due to mistakes by the land office in the land registration process and issuing land certificates so that the mechanism was not in accordance with the AUPB causing losses for land rights owners.³ This is based on the case that occurred with Irianto Hasan and his nine younger siblings who inherited seven hectares of land from their father, based on a certificate of heirship which was witnessed and confirmed by the village head and known to the sub-district head. However, on March 10 2019 Irianto Hasan and his younger brother learned of the existence of a Certificate of Ownership Rights (SHM) Number 8551 in the name of

¹ Mahkamah Agung Republik Indonesia. Direktori Putusan Pertanahan, <https://putusan3.mahkamahagung.go.id/direktori/index/kategori/pertanahan-1.html>, accessed 2 January 2024.

² S.F. Marbun, 2014, *Asas-Asas Umum Pemerintahan yang Layak*, FH UII Press: Yogyakarta, p. 26.

³ Mahkamah Agung Republik Indonesia. Putusan Putus Per Tahun Pertanahan, <https://putusan3.mahkamahagung.go.id/direktori/periode/tahunjenis/putus/kategori/pertanahan-1.html>, accessed 2 January 2024.



Tarmizi Arahman which was issued by the Head of the Jambi City Land on October 18 2018 with Measurement Letter Number: 03870/PMR/2018 covering an area of 4.455 m², even though the land was part of the land obtained by Irianto Hasan and his younger siblings from his father whose certificate has not yet been issued. After it was discovered that the application for SHM for the land of Irianto Hasan and his siblings had been submitted by Tarmizi Arahman since 2013, but the Head of Paal Merah Subdistrict withdrew the map of the land plot and the National Land Agency (BPN) had turned off the measurement letter therefore the file was returned and the application was not continued. Furthermore, on July 20 2017, BPN carried out a re-measurement at the request of the Jambi Regional Police in the presence of the Jambi Regional Police, Subdistrict, and bordering parties with the result that Tarmizi Arahman's name was not recognized as the owner of the land.

This case has been decided based on Decision Number 12/G/2019/PTUN.JBI dated 19 November 2019 which granted the plaintiff's lawsuit in its entirety and declared it null, void, and revoked SHM Number 8551 in the name of Tarmizi Arahman. The actions taken by the Jambi City Land Office contained administrative legal defects in issuing certificates due to procedural errors in the process of registering land rights and errors in the location of the object, it was located in Paal Merah District, not South Jambi District. The procedure for registering land rights is regulated in Article 12 Government Regulation number 24 of 1997 concerning Land Registration (hereinafter abbreviated as PP 24/1997), namely: application by submitting the required documents; field inspection; physical data processing and analysis; discussion meeting; proving rights, making minutes, maps, and bookkeeping; issuance of certificates; presentation of physical and juridical data; as well as general register and document storage. At the physical data processing and analysis stage, the application has been withdrawn and the files returned so the certificate should not be issued. The issuance of certificates is also contrary to the AUPB and the principles of land registration, namely the principles of accuracy, legal certainty, non-abuse of authority, fair play, and safety. However, the judge's decision contained weaknesses because in his legal considerations he only examined and proved the plaintiff's argument regarding the violation of the principle of accuracy.



Based on the author's research, there are several studies that have been carried out related to the author's research including a thesis by Ridho Ivan Darmawan, in the Law Studies program at the University of Jember, in 2019 with the title "General Principles of Good Governance in Issuing Land Certificates" discussing (1) Are the land registration principles used by BPN in accordance with the AUPB; and (2) Legal remedies that can be taken by land rights holders for BPN's failure to comply with the principles in issuing land certificates.⁴ The difference with the current research is that this research not only discusses violations of land certificate registration procedures that are not in accordance with AUPB according to Decision Number 12/G/2019/PTUN.JBI, but also reviews the issue of improvements and changes to land office services related to the certificate registration process land that complies with AUPB. Journal by Wiwik Diah Lestari and Meta Indah Budhianti in Trisakti University Legal Studies study program, in 2022 with the title "Deviation of Safe Principles in Land Registration by the Head of the Jambi City Land Office" which has a research focus related to (1) Deviations within the authority of the Head of the Jambi City Land Office who do not pay attention to safe principles in implementing land registration based on Article 2 of Government Regulation No. 24 of 1997; and (2) Decision Number 12/G/2019/PTUN.JBI decides on deviations from the authority of the Head of the Land Office.⁵ The difference with the current research is that the previous research only discussed safe principles and did not discuss AUPB, while the author's research focused on violations of the SOP for registering land certificates that were not in accordance with AUPB according to Decision Number 12/G/2019/PTUN.JBI and improvements and changes land office services related to the process of registering land certificates in accordance with AUPB.

The aim of this research is to determine and analyze violations of the SOP for land certificate registration which are not in accordance with AUPB according to Decision Number 12/G/2019/PTUN.JBI and changes in land office services related to the land certificate registration process whose mechanism is in accordance with AUPB.

⁴ Ridho I. Darmawan, 2019, *Asas-Asas Umum Pemerintahan yang Baik dalam Penerbitan Sertipikat Tanah*, Thesis, University of Jember, Jember, p. 5.

⁵ Wiwik D. Lestari and Meta I. Budhianti, *Penyimpangan Asas Aman dalam Pendaftaran Tanah oleh Kepala Kantor Pertanahan Jambi, Reformasi Hukum Trisakti*, Vol. 4, No. 3, August 2022, p. 621.



B. Research Method

This type of research is normative legal research which is supported by field research because this research is carried out by exclusively reviewing library materials or secondary data in addition to being supported by sociological or empirical legal research which mainly examines primary data.⁶ This research uses a statutory regulation approach and a case approach.⁷ Research data uses secondary data obtained from primary legal materials and secondary legal materials as well as primary data obtained from research subjects who are used as sources.

The primary legal material in this research is Law Number 30 of 2014 concerning Government Administration (hereinafter abbreviated as the Government Administration Law), PP 24/1997, Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 3 of 2023 concerning Issuance of Electronic Documents in Land Registration Activities (hereinafter abbreviated as Minister of ATR/KBPN Regulation No. 3 of 2023), Jambi City Regional Regulation Number 13 of 2014 concerning the Establishment of Alam Barajo District, Danau Sipin District, and Paal Merah District (hereinafter abbreviated as Jambi Regional Regulation No. 13 of 2014), and decision Number 12/G/2019/PTUN.JBI. Secondary data collection techniques and tools through literature study and documentation study. Primary data was obtained through interview techniques with Sukaryadi, S.H., as Functional Young Land Administrator of the Yogyakarta City Land Office, Dwi Haryati, S.H., M.H. as a lecturer at the Department of State Administrative Law Faculty of Law Gadjah Mada University, and Ahmad, as the First Cadastral Administrator of the Jambi City Land Office. The collected data will be analyzed qualitatively using an in-depth analysis technique mindset.

C. Results and Discussion

1. Violation of Standard Operational Procedures for Registration of Land Certificates which are Not in Accordance with the General Principles of Good Governance According to Decision Number 12/G/2019/PTUN.JBI

⁶ Soerjono Soekanto & Sri Mamudji, 1986, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, CV. Rajawali: Jakarta, p. 15.

⁷ Peter M. Marzuki, 2017, *Penelitian Hukum Edisi Revisi*, Kencana: Jakarta, p. 133-134.



The Head of the Jambi City Land Office in carrying out the authority to register land and issue land certificates must understand the SOP for land registration as regulated in PP 24/1997.

Table 1. Compliance with the SOP for land registration carried out by the Head of the Jambi City Land Office

SOP for land registration	Suitability of the process carried out by the Head of the Jambi City Land Office
Creation of a registration base map	√
Determination of land parcel boundaries	√
Measuring and mapping land plots	√
Creation of registration maps	×
Making a land register	×
Proving rights	×
Assessment of the truth of evidence	×
Bookkeeping of rights	×
Issuance of certificate	×
Presentation of physical and juridical data	×
Storage of general lists and documents	×

The violations committed by the Head of the Jambi City Land Office in implementing the SOP for registering land certificates until the certificate was issued, started at the stage of making the registration map. After the measurements the field map was issued, but due to sporadic withdrawals by the Paal Merah Village Head the file was returned and the application was not continued. If pay attention to Article 20 PP 24/1997 the determine land boundaries will be measured and then a plot map will be issued, the map will be linked to the registration map so that there is no overlap and can prevent errors in location and boundaries. The land inspection team will then review all documents and look for information to determine whether the land object requested



has problems or not. If the registration map shows a problem then there should be information that there is a problem with the land.

Land disputes can arise if physical and juridical data are not presented correctly.⁸ In this process, the land inspection team did not utilize the land registration map, the land inspection team realized too late that the plot map was issued on part of the plaintiff's land measuring 30.561 m² which was still in the process of issuing a certificate. Fortunately the Head of Paal Merah Village had carried out sporadic revocations so that the files were returned. According to the author, there is another possibility that the location of the land has not been fully mapped by the Jambi City Land Office in the registration base map so that the land inspection team is not aware that there is a problem and the process continues until the measurement letter is issued. Considering that developments in the City of Jambi are not as massive as those on the island of Java especially in big cities where land development and spatial planning are more advanced and modern, in 2013 it is not surprising that the land archives and information at the Jambi City Land Office are not yet complete, even in 2022 there are still people in the Arab Melayu sub-district, Jambi City where the people have just received land title certificates.⁹ Normatively the land office has land data grouped by village, of course this will not happen if the archives are recorded and if the information is complete.

Similarly to this case, after the plot map was turned off and the application was withdrawn in 2013, suddenly in 2018 Land Inspection Committee A together with Zainudin, Head of Paal Merah Village, conducted a field inspection and concluded that Tarmidzi Arahman managed the land and used it for agriculture. The author can say that village officials including the village head who previously served in 2013 did not submit previous documents to village officials who worked in 2018 so that an error occurred (intentionally or not) which resulted in Zainudin, Head of the Paal Merah Village in 2018, not knowing the land which has not been certified belongs to the

⁸ Yuyun Mintaraningrum, Purwono S. Raharjo, and Djoko Wahyu Winarno, *Aspek Kepastian Hukum dalam Penerbitan Sertifikat Hak Tanah (Analisis Putusan Pengadilan Tata Usaha Negara Semarang Nomor Putusan PTUN Nomor 24/G/TUN/2000/PTUN.Smg)*, *Jurnal Reportorium* Vol. II No. 2, July-December 2015, p. 110.

⁹ Atrbpn Kotajambi Kunker Menteri
<https://www.instagram.com/stories/highlights/18002156120372648/?hl=en>, accessed 9 September 2024.



plaintiff. This is because the village government actually has the authority to provide services in carrying out land administration, such as recording the amount of land owned by the village and the community as a form of Article 24 PP 24/1997 concerning proof of old rights. The composition of the adjudication committee includes the Village Head/Lurah who is instrumental in issuing initial land documents to assess the certainty of juridical data regarding land parcels in the relevant village/subdistrict area.¹⁰ This shows that state administration officials (TUN) were not careful and thorough thereby violating the SOP for registering land certificates because processing the results of field inspections could reveal data and information related to land disputes, conflicts, and cases. It should be stated that rights to the land have previously been applied for and there is information that the plaintiff. Apart from that, if look at the SOP for land registration listed in PP 24/1997, the files have previously been returned then the rights application should have been done from the start and cannot be done suddenly at the field inspection stage.

Continuation of the processing and analysis of the field survey data, a measurement letter was then issued based on the field map recorded as a results of Sodikin's measurements, even though the previous field map had been turned off by BPN because it had been sporadically removed by the Paal Merah Village Head. As a results of the previous field inspection stage the SOP was violated so the measurement letter issued was also wrong. Since April 2017 Sodikin has served at the Tanjung Jabung Barat Land Office, not at the Jambi City Land Office, while the information in the measurement letter was measured by Sodikin and issued in 2018. The lack of functioning monitoring mechanisms can cause officials at lower levels, including BPN employees, to be tempted to do so deviant behavior and as a results not carrying out duties and responsibilities according to his oath of office.¹¹ In connection with this case according to the author if look closely at Article 14 of PP 24/1997 regarding the stage of measurement and mapping activities, there has been a change of officers at

¹⁰ Lagat Siadari. Tinjauan Kewenangan Menerbitkan Administrasi Pertanahan oleh Kelurahan/Desa di Kabupaten Bintan <https://ombudsman.go.id/artikel/r/pwkinternal--tinjauan-kewenangan-menerbitkan-administrasi-pertanahan-oleh-kelurahandesadi-kabupaten-bintan>, accessed 9 September 2024.

¹¹ Mochamad Amin, 2021, *Analisis Yuridis Peran dan Tanggung Jawab Kantor Pertanahan Kabupaten Cilacap dalam Hal Terlepas Sertifikat Tanah Ganda*, Thesis, Sultan Agung Islamic University, Semarang, p. 106.



the Jambi City Land Office because in 2013 the field map was turned off and the files were returned, but in 2018 the application continued until it was published measuring letter. Meanwhile, it does not make sense if the land list and measuring certificates which were not measured by the officers whose names are listed in the measuring letters were published in 2018.

In addition, BPN also carried out re-measurements on July 20 2017 which were witnessed by the Jambi Regional Police, sub-disricts, and border parties with the result that Tarmizi Arahman's name was not recognized as the owner of the land. If look at Article 24 PP 24/1997 concerning proof of rights must be proven by means of evidence in the form of written evidence, the truth of the information deemed sufficient by the Head of the Land Office, the right holder, and the rights of other parties who burden it. Thus, the Head of the Jambi City Land Office ignored the assessment of the veracity of evidence to prove land rights because even though it was clear that there was written evidence and statements from other parties concerned, the land registration process continued until the TUN decision was issued. Basically, when carrying out measurements, measuring officers always ask about the location of the land they own or the location of its boundaries and shape. The surveyor will measure the land according to the instructions of the land owner and those who border the land. Before measuring and determining boundaries, the owner and bordering parties will sign a statement letter confirming the mutually agreed land boundaries. Determination of these boundaries is based on Article 17 paragraph (1) PP 24/1997 which states that to obtain the necessary physical data, the land parcel must be mapped and its boundaries measured, if necessary, boundaries should be marked at each corner of the land parcel concerned. According to the author, the error here was that the measuring officer ignored written evidence and boundary markers for the plaintiff's land which had not yet been certified, even though there was already a letter stating that the land belonged to the party concerned, namely an heir's statement and a letter of sale and purchase of the garden land from Machun Alias Buyung bin Saidi.

The disputed land has not been cultivated according to its intended purpose since it was inherited to the plaintiff in 2011 and it is not clear whether there are plants and/or buildings on it so that rights to the land could be lost due to the passage of time. According to Article 24 paragraph (2), if there is physical control of a plot of land for



a minimum of twenty consecutive years then the land can be applied to become the property of the party who controls the land. If the plaintiff really uses the land, the land will not be controlled by Tarmizi Arahman. A computer based data processing and storage system was also used to change the certificate number, even though the initial certificate number was 8851/Paal Merah which was clearly not registered with the Computerization of Land Offices (KKP). However, on March 14 2019 the certificate number was changed to 8551/Paal Merah so that it could be recorded at the KKP. If realize that the initial certificate number is not registered with the KKP, an evaluation should be carried out and traced perhaps there are stages or data that are wrong or inappropriate because the KKP-web system is already integrated.

According to the author, the Head of the Jambi City Land Office was proven wrong and mistaken in issuing the SHM. The issuance of SHM also violates AUPB, namely:

- a. The principle of due care is regulated in the explanation of Article 10 paragraph (1) letter d of the Government Administration Law, this principles requires that the government or administration act carefully so as not to harm the public in carrying out various activities in carrying out their duties and functions.¹² In his legal considerations, the judge considered that the principle of due diligence is a principle which requires that every action taken by a TUN body or official must be carefully considered and by all related interests, both the interests of the parties and the interests of third parties. Decisions must be prepared in advance and taken carefully. The author agrees with the judge that the Head of the Jambi City Land Office was not careful in issuing the SHM because he did not carefully examine the documents and assess the veracity of the evidence which was the basis for issuing the certificate causing losses to the plaintiffs due to overlapping land rights, even Candra Kirana was also harmed because of the road his organic village was buried in the ground and inaccessible.
- b. The principle of legal certainty is regulated in the explanation of Article 10 paragraph (1) letter a of the Government Administration Law, stating that the rights obtained by a person as a result of a government decision must be respected

¹² Ridwan HR, 2014, *Hukum Administrasi Negara*, Rajawali Pers: Jakarta, p. 248.



even if the decision is wrong until proven otherwise in the judicial process.¹³ The realization of the principle of legal certainty lies in the issuance of land ownership certificates to the people whose names are listed on the certificates so that they have the power of rights before the law and legitimacy from the state. According to the author, SHM Number 8551 in the name of Tarmizi Arahman is not in accordance with the AUPB because it was issued on the plaintiff's land and clearly creates legal uncertainty. The reasons for violating the AUPB submitted by the plaintiff were not used as a basis and were taken into consideration by the judge when handing down a decision in case Number 12/G/2019/PTUN.JBI. With the issuance of SHM Number 8551 the AUPB is not used as a testing tool, even though this is the only way to put pressure or direction on the defendant so that the rights obtained by a person according to the Law (UU) are properly respected in accordance with the objective issuing a certificate, namely providing legal certainty.¹⁴ The Head of the Jambi City Land Office must pay attention to the harmony and order between his policies/decisions and those of other managers, including the previous Village Head so that there is no overlapping of policies/decisions.

- c. The principle of not abusing authority is regulated in the explanation of Article 10 paragraph (1) letter d of the Government Administration Law. The definition of abuse of authority in the Government Administration Law is very broad, arbitrary acts include abuse of power so that the meaning in the Law and the understanding of experts can vary. The plaintiff received land from his father based on a certificate of heirship and Tarmizi Arahman had previously acknowledged that part of the plaintiff's land had not been certified. SHM Number 8551 was issued in the name of Tarmizi Arahman (defendant II of the intervention) based on the processing of the results of field inspections and measurement letters, even though revocations had been carried out sporadically and the files were returned by the Paal Merah Village Head to BPN. According to the author, the defendant's legal actions violate the AUPB especially the principle of mixing authority, but in

¹³ *Ibid*, p. 246.

¹⁴ Cekli S. Pratiwi, et al., 2016, *Asas-Asas Umum Pemerintahan yang Baik*, Lembaga Kajian dan Advokasi untuk Independensi Peradilan (LeIP): Jakarta, p. 130.



the Jambi PTUN decision this principle was not used as a testing tool. The Head of the Jambi City Land Office may not exercise any authority other than for the purpose of granting authority to issue certificates because the authority to issue certificates must be in accordance with the SOP for land registration. This is evidence of a mix-up of authorities because the certificate was issued after the field map was turned off due to sporadic revocation by the Paal Merah Village Head in the past.

- d. The principle of fair play is not regulated in the Government Administration Law, but is used by judges in deciding cases in Decision Number 30/G/TUN/1998.Smg.¹⁵ According to the author, the principles of proper play are the same as the principles of good service in the Government Administration Law. It was revealed that since the plot map was turned off and the application for rights was revoked, the process of making registration maps which resulted in measuring letters, making land registers, proving rights, assessing the veracity of evidence which did not contain Tarmizi Arahman's name as the land owner, issuing certificates, and storing documents which changed the number certificate because it was not recorded in the KKP which was the basis for the right to issue SHM Number 8551 in the name of Tarmizi Arahman based on wrong circumstances. In fact, SHM Number 8551 was made on the basis of incorrect rights. The issuance of SHM Number 8551 in the name of Tarmizi Arahman violates the AUPB especially the principles of fair play. The author concludes that the consideration for this violation was to provide pressure and direction to the defendant so that the SOP for issuing the certificate in question was given more attention from the start and to provide information to the public especially those who objected to the issuance of the certificate in question. However, again in the Jambi PTUN decision this principle was not used as a testing tool, even though the implementation of the certificate issuance SOP was violated or the process was not carried out by the Head of the Jambi City Land Office.

¹⁵ *Ibid*, p. 164.



2. Improvements to the Future regarding the Land Certificate Registration Process whose Mechanism is in Accordance with the General Principles of Good Governance

Past (when the case took place)	Present (current)
Overlapping land rights	Electronic certificate
The certificate has not been issued	Sentuh Tanahku App
Not everything has been mapped at the disputed land location	Complete Systematic Land Registration (PTSL) is carried out
The boundaries are ambiguous	GPS Map Camera application, GEMAPATAS
Village administration is disorderly	Implementation of DIP4T
Land is not controlled and utilized	Create outreach on social media

Table 2. Improvements in Land Office services from time to time

Ahmad said that the implementation of electronic land certificate at the Jambi City Land Office will begin in June 2024 with the hope of minimizing land problems in Jambi City and providing high security, layers, and countability for land rights owners. It is hoped that overlapping land rights as experienced by the plaintiff above will not happen again because the existence of electronic certificates can limit the space for officials who do not implement land registration SOPs in accordance with PP 24/1997. The implementation of the electronic system is carried out in stages according to Article 3 paragraph (3) of the Minister of ATR/KBPN Regulation No. 3 of 2023 by considering:

1. readiness infrastructure and human resources at each land office;
2. maturity level of information technology implementation for each land office;
and/or
3. maturity level of service users.



BPN's mandate as a government institution is to manage land registration data, especially at the land office level which deals directly with the community in land registration certification.¹⁶

There is a strategy to overcome administrative weaknesses in land registration, namely the publication of the Sentuh Tanahku application which can be downloaded for free via Play Store and App Store. The Jambi City Land Office has implemented this application in its area since 2022¹⁷ to provide all the information the public needs. This application was created to answer various community land problems and is expected to make it easier for the community to obtain information and make it easier to process land certificates. With the Sentuh Tanahku application, plaintiffs can monitor the process or registering their land rights at what stage and it is hoped that certificates that have not been issued such as those belonging to the plaintiff which have not been issued since 1992 to 2013 will hopefully not happen again. There are service features in this application, namely:¹⁸

1. File info, displays detailed information and list of file management processes.
2. Plot of land plot showing land boundary map according to physical certificate. Users need to enter the certificate number to be plotted, then draw the land plot on the map based on its shape and location. Next, click save plot then the land office will verify the data. If the plot has been verified then the land parcel will appear in the field plot.
3. Certificate info, displays detailed information about the certificate from the list of certificate owners. This feature must be activated by coming and confirming at the nearest land office.
4. Location of the land plot, shows the location of the land plot based on the land certificate.

¹⁶ Upik Hamidah, *Implikasi Diskresi Kepala Kantor Pertanahan dalam Pendaftaran Tanah, Cepalo*, Vol. 3 No. 2, July-December, 2019, p. 97..

¹⁷ Atrbpn Kotajambi, Informasi <https://www.instagram.com/stories/highlights/18321009511030243/?hl=en>, accessed 10 September 2024.

¹⁸ Kementerian Keuangan Republik Indonesia, Aplikasi #Sentuh Tanahku <https://www.djkn.kemenkeu.go.id/kpknl-metro/baca-artikel/12931/Sekilas-Mengenai-Aplikasi-Sentuh-Tanahku.html>, accessed 29 June 2024.



5. Service info, contains a list of service information, terms, costs, and completion time period, as well as cost simulations.

According to the technical instructions for PTSL, systematic measurement of land plots is the process of determining the location of the boundaries of land plots in one or more villages/sub-districts or parts thereof in connection with the implementation of systematic land registration, while mapping land plots is an activity processing data and depicting the results of land plot measurements on a certain media using certain methods so that the location and area of the land plot can be known from the media on which the land plot is mapped.¹⁹ The existence of PTSL is also expected to be able to measure and map all village and sub-district land and then land plots of land for which certificates have been issued to eliminate or minimize overlaps. Ahmad stated that its function is because field data is incomplete. In the 2022 fidcal years the Jambi City Land Office will carry out PTSL in Alam Barajo District, Bagan Pete Village, Danau Sipin District, Legok Village, and Telanaipura District, Buluran Kenali and Teluk Kenali Villages. This sub-district is the sub-district related to the case above. It is hoped what with PTSL, all village land locations can be mapped and listed on the registration base map so that if a land inspection team carries out plot mapping in that location it can be detected if the land already has an owner. The community can also show their land at that location while validating the plot, of course if it has been validated there will be no overlapping problems.

An embodiment of the One Map Policy (OMP) that has been implemented by the Jambi City Land Office since 2023, namely the GPS Map Camera application²⁰ to show photos of someone's land boundaries accompanied by geographic information (geotag). This application can be accessed by the entire community via the Google Play Store and App Store, applicants for land certificate registration can use this application by taking photos and pointing to clearly visible land boundary signs. The applicant must be visible from head to toe in its entirety (full body). The Mayor of Jambi also supports the OMP program and application by organizing the Community Movement

¹⁹ Agung Pratama, Suharno, and Arief Syaifullah, *Teknik-Teknik Pengukuran dan Pemetaan Kadastral pada Program PTSL di Kantah Lombok Timur*, *Jurnal Tunas Agraria*, Vol. 3 No. 2, May 2020, p. 77.

²⁰ Atrbpn Kotajambi, GEMAPATAS
<https://www.instagram.com/stories/highlights/17910494315645255/?hl=en>, accessed 10 September 2024.



for Installing Boundary Marks (GEMAPATAS) which will be held simultaneously on February 3 2023 and centered in Eka Jaya Village, Paal Merah District²¹. By installing land parcel boundary signs it can make it easier and faster for land officials to measure the land and confirm land parcel boundaries so as to avoid land conflicts such as bickering or annexation with parties who have direct borders. If the GPS Map Camera application had been around for a long time the plaintiff could show the boundaries of his land with photos and geotags that could be identified from the application, Tarmizi Arahman would also not recognize the plaintiff's land because there were clear boundary marks.

The Jambi City Land Office is coordinating to implement Data and Information on Ownership, Control, Use, and Utilization of Land (DIP4T) in 2023 at the Paal Merah Village Head Office.²² This activity begins with counselling/socialization and then training of field assistants. This training is intended to train field assistants in filling out data collection forms on Land Ownership, Control, Use, and Utilization and technical matters in the field. This is an improvement in the services of the Jambi City Land Office considering that in the above case the village administration regarding data, information and land documents in the Paal Merah Subdistrict area were not previously submitted to the Paal Merah Subdistrict Head who took office in 2018 so they did not know the land for which the application was submitted by Tarmizi Arahman is the land belonging to the plaintiff. The village administration related to village officials who did not convey information to the land office cause the data to be invalid and errors occurred looked for information in the village where the land was located.

Ahmad said that since 2022 the Jambi City Land Office has started utilizing social media, namely Instagram to provide outreach to the public through videos and short films regarding the importance of maintaining stakes and matters related to land issues at BPN. Some of the videos on Instagram atrbpn.kotajambi are about the community's obligation to cultivate, use, utilize, and/or maintain the land they own or control; stake

²¹ *Ibid.*

²² Atrbpn Kotajambi, DIP4T
<https://www.instagram.com/stories/highlights/17928377951652996/?hl=en>, accessed 10 September 2024.



installation function; information regarding the Sentuh Tanahku application; and as a short film about the land mafia. The purpose of the narrative video is to make it easier for the public to understand and not assume that everything is the responsibility of BPN.

D. Conclusion

Based on the discussion of violations of the SOP for land certificate registration which is not in accordance with the AUPB according to Decision Number 12/G/2019/PTUN.JBI as well as improvements to land office services related to the land certificate registration process whose mechanism is in accordance with the AUPB above, after carrying out the analysis it can be concluded that: violation of the SOP for land certificate registration which is not in accordance with the AUPB according to Decision Number 12/G/2019/PTUN.JBI is a violation of accuracy because the Head of the Jambi City Land Office was not careful in issuing the certificate resulting in losses for the plaintiff and other parties due to overlapping land rights. The certificate was issued on the plaintiff's land and clearly created legal uncertainty thereby also violating the principle of legal certainty. The legal action of the Head of the Jambi City Land Office also violates the principle of mixing authority because the issuance of the certificate was carried out after the plot map was turned off so the implementation of the SOP for land registration is not in accordance with statutory regulations, even if the application continues it also violates the principle of fair play because the certificate is made based on rights and wrong circumstances. Improvements to land office services related to the process of registering land certificates the mechanism of which is in accordance with AUPB, namely the Jambi City Land Office has started implementing electronic land certificates since June 2024. The implementation of the Sentuh Tanahku application starting in 2022 and the socialization of videos and short films related to land issues via Instagram will begin to be utilized makes it easier for applicants to monitor the process of registering land rights at every stage. The embodiment of OMP which will be implemented starting in 2023, namely the GPS Map Camera application, GEMAPATAS, and the implementation of DIP4T in the sub-district where the disputed object is located which can display clear boundary markers accompanied by photos and geotags that can be identified through the application. Based on the decision of the Jambi PTUN Number



12/G/2019/PTUN.JBI which states that the plaintiff's land is still in the process of issuing a certificate for nineteen years, the plaintiff should follow up from the date of succession to the Jambi City Land Office because the certificate has exceeded the service period and the land office must act quickly and responsively from the moment the certificate registration application is submitted and not allow the application to be delayed for years.

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