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<sup>1</sup>Affiliation: Faculty of Law, Universitas Muslim Indonesia, Makassar, Indonesia

\*Corresponding author: Ilham Abbas,  
Faculty of Law, Universitas Muslim  
Indonesia, Makassar, Indonesia

E-mail: [ilham.abbas@umi.ac.id](mailto:ilham.abbas@umi.ac.id)

## LAW & SOCIAL POLICY | RESEARCH ARTICLE

# Information Technology in the Implementation of Land Registration Activities: The Implementation Side

Muhammad Rafli Riswandar<sup>1</sup>, Ilham Abbas<sup>2\*</sup>

**Abstract:** This study aims to determine how the implementation of land registration activities through information technology activities at the Regional Office of the National Land Agency of South Sulawesi Province in the Division of Determination and Registration of Rights and what factors affect land registration activities through the application of information technology at the Regional Office of the National Land Agency of South Sulawesi Province in the Division of Determination and Registration of Rights. The results of this study indicate that the implementation of land registration activities through the application of Information Technology in the Regional Office of the National Land Agency of South Sulawesi Province was implemented on Law of Information and Electronic Transactions. In addition, related to the implementation of technology utilization, of course, there are problems that are present, one of which is external factors in land registration, community factors are very influential on the smooth process of land registration activities. Without community support, community activities will not run effectively. And internal factors sociologically, every law enforcer has a position and role. The position is a container in which certain rights and obligations are contained. In order for this to work as desired, the author suggests that there needs to be more attention to communication aspects and aspects of service quality at the Regional Office of the National Land Agency of South Sulawesi Province in the Division of Determination and Registration of Rights. This is because there are still employees who do not understand the national land management information system policy well. And it is also necessary to improve the quality of service by paying attention to supporting factors in making services easier and faster. And the need for additional human resources or recruitment of new employees who are able to apply Information Technology, the need to improve the quality of a better internet network and improve/update existing hardware and application software and improve KKP applications managed by the central BPN, and the need for counseling/understanding of land registration activities to the community.

**Keywords:** Registration; Land Registration; Technology Information;

## 1. INTRODUCTION

Land is one of the natural resources that is important for the survival of mankind, the relationship between humans and land is not just a place to live, but more than that land provides resources for the survival of mankind. So important is the position of land for humans that it often causes land problems. Law of the Republic of Indonesia Number 5 of 1960 concerning Basic Regulations on Agrarian Principles in Article 1 paragraph (4) states that in the definition of the earth, in addition to the surface, it also includes the body of the earth underneath and under water. Constitutionally, Article 33 paragraph (3) of the Constitution of the Republic of Indonesia provides the basis that the earth and water as well as the natural resources contained therein are controlled by the State and used for the greatest prosperity of the people. One of the objectives of the enactment of Law No. 5/1960 on Basic Agrarian Regulations, or better known as the Basic Agrarian Law (UUPA), is to lay the foundations to provide legal certainty regarding land rights for the people as a whole. The objective of providing legal certainty is contained in Article 19 paragraph (1) of UUPA. (Istijab, 2018)

In addition to not only implementing the provisions of Article 19 of the UUPA, Government Regulation No. 24/1997 has a very decisive position, but more than that it is the backbone of the land administration as one of the land programmes and Land Law in Indonesia. (Santoso, 2019) This is in line with what has been outlined in Government Regulation No. 24 of 1997 Article 38 and Minister of Agrarian Affairs/Head of the National Land Agency Regulation No. 3 of 1997 on the provisions for the implementation of PP. No. 24 of 1997 on land registration. (Surayya, 2020)

From these provisions it can be understood related to land registration, the highest authority over the land is addressed to the government and the guarantee of legal certainty to be realised in this land registration, including certainty of the status of registered rights, certainty of the subject of rights, and certainty of the object of rights. Land registration produces land certificates or certificates of land



rights as valid evidence. Public services within the National Land Agency were initially carried out manually, both information services and land registration services, from registration procedures to the final product of land registration. Information and activities in this sense the results of land rights certificates are still handwritten and use typewriters. So that people feel that the land service process takes a long time. In relation to this public service phenomenon, the position, role and function of the bureaucracy itself cannot be separated from the individual as an apparatus (employee) who has perceptions, values, motivation and knowledge in order to carry out functions, duties and social responsibilities in public services. Human behaviour in organisations determines the achievement of maximum results in order to achieve organisational goals. (Nurdin, 2019)

Basically, land services are contained in PERMEN Number 4 of 2017 concerning Service Standards of the Ministry of Agrarian Affairs and Spatial Planning / National Land Agency in article 1 point 2 which states that, "To realise orderly administration in governance, and improve the quality of service to the community". In connection with the above and along with the passage of time which is now present in the industrial revolution era 4.0 in the 21st Century, the National Land Agency also leads its organisation to prioritise technology as a tool to facilitate land activities and needs to be faced with an attitude of prioritising the use of existing technology, because the challenges that exist are increasingly binding on public services seen in the emphasis of public administration on results that are useful to the community, quality and value, products, accelerating services and prioritising missions, services and outcomes. (Maslan, 2023)

Another goal of the Electronic System is to reduce the practice of land mafia that often occurs as well as to become a legal force and make it easier for the public to monitor public services up to where the process of registering their rights because to this day there are still many who complain about the slow process of registration and transfer of rights, especially since the presence of land service applications through Online certificates has been stated in Permen ATR / BPN Number 1 of 2021 concerning Online Certificates.

One of the objectives of the presence of this regulation is to provide convenience for everyone, this rule is a solution to the problems faced so far, namely the case of multiple land certificates or the land mafia, which ultimately resulted in land disputes. But this rule is still being socialised by the BPN to the public so that they are sure that the guarantee of legal certainty is the same as the original certificate. In order to provide guarantees of legal certainty, as well as improve the performance of digital land services to achieve better results in national development, and in this case the Government also aims to make a breakthrough through the policy of accelerating land registration in order to register all land parcels in the territory of the Unitary Republic of Indonesia until 2025. However, in reality, land registration, which has been organised since the issuance of several regulations in the context of implementing land registration, for more than 56 years has not produced satisfactory results. As of 2017, there were 50,482,072 registered parcels and 63,827,880 unregistered parcels. (Hermawan et al., 2016)

Public expectations of land services and in marriage with the rules of this development that requires running between rules and technology. In this case, the existing rules can inspire and inspire all elements of the National Land Agency to commit to proving from time to time both the results of policies and the strength of applicable laws in terms of land registration and of course so that services can be even better.

So, things that are obstacles in the utilisation of technology in the implementation of land registration, do not run optimally or less effectively due to several factors that hinder both from the legal factors themselves, law enforcement factors, facilities or facilities, community factors and cultural factors. (Ardani et al., 2022)

Regarding several factors that are still constrained that affect one of them, namely, the transition period from manual to digital, human actors who input real data into digital sometimes incorrectly enter according to existing data, human resources capable of operating information technology are still limited and often disrupted by the Land Office Computerisation application (KKP) due to maintenance and errors resulting in slow data access. In addition, legal certainty on the basis of its implementation is felt to be insufficient to provide confidence in the basis for the implementation of land registration through digitalisation technology in a short time with more satisfactory results.

So that based on the description above, the author feels the need to further study the Application of Information Technology in the Implementation of Land Registration Activities. The formulation of the problem of this research is how is the implementation of land registration activities through the implementation of information technology at the South Sulawesi Provincial Land Office for Determination of Rights and Registration? and what factors influence land registration activities through the implementation of information technology at the South Sulawesi Provincial Land Office for Determination of Rights and Registration? The purpose of this research is to find out how the implementation of land registration activities through information technology activities at the South Sulawesi Provincial Land Office for Determination of Rights and Registration and what factors affect

land registration activities through the implementation of information technology at the South Sulawesi Provincial Land Office for Determination of Rights and Registration. The benefits of this research are to be the development of science and technology to improve scientific insights that have not been understood or have not been well recognised regarding land registration activities in the application of information technology in the Regional Office of the National Land Agency of South Sulawesi Province and to be used as material for contributions in conducting similar research and to further study and be able to know things related to the development of information technology in the implementation of land registration.

There are several studies that are relevant to this research, namely, Juprianta, Anriz and Yuliasara in the journal *Nuances of Kenotariatan* in 2019 entitled *Implementation of the Online Public Service Administration System for Land Rights Applications*, (Juprianta et al., 2019) which concludes that the legal certainty of the implementation of the online public service administration system for land rights applications, The existence of these provisions regulates the validity / legality and at the same time legal certainty which guarantees that electronic documents, both general and specific, such as land certificates or other authentic deeds made by PPATs or Notaries, Obstacles to the implementation of an online public service administration system for land rights applications, with the implementation of the PERMATA work programme, the Government seeks to minimise the amount of obligations that must be paid by only charging the Land Price for NJOP determination. Betta Triyanto in the *Journal of FH UNS* in 2016 entitled *Effectiveness of the Implementation of Land Registration through Online Self Registration of Land Deeds in Sukoharjo Regency*, (Triyanto, 2016) which concluded that the implementation of Land Registration through Online Self Registration of Land Deeds (PERMATA) in Sukoharjo Regency has not been effective, both in terms of structure, substance and culture components. The obstacles encountered are (1) the internet network and data storage network at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency of the Republic of Indonesia, (2) the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency of the Republic of Indonesia still accepts manual/offline registration. Solutions to overcome these obstacles are to (1) increase data storage space and strengthen internet access networks, (2) make clear provisions and rules to protect the parties and (3) increase staff in the PERMATA programme so that responsibilities are clearer.

## 2. Research Method and Materials

In terms of the focus of the study, the legal research conducted is included in the type of legal research with an empirical doctrinal approach. Empirical research is based on facts obtained in the field, this type of research is a category of research that continues to develop in legal research in relation to social sciences, which makes legal phenomena or symptoms in society. The data needed in empirical legal research are primary data and secondary data. Primary data, namely data obtained directly at the research location, namely, the Regional Office of the National Land Agency of South Sulawesi Province. This primary data source is the result of interviews with the BPN Office which is considered to know or master the problems to be discussed as well as documents obtained directly from the research location. And Secondary data, namely data obtained from literature studies, namely by collecting data and legislation, books, scientific works, and opinions of experts. (Irwansyah & Yunus, 2020)

The data collection techniques used to answer the formulation of problems in legal research use several techniques, namely: Interview Technique, Interview is a process of direct and oral question and answer to the source. In this interview the researcher asks various questions that have previously been made in order to obtain answers related to a study. To get answers to the researcher's questions, the researcher conducted interviews with employees. And Documentation techniques, this research takes data with documentation techniques to complete the data that money is lacking. As for the data that supports in conducting research by recording the results of interviews with sources using a recording device from a mobile phone. And as for the data analysis in this study, in conducting the analysis the researcher will usually determine in advance what kind of technique will be used, one of the techniques used in analysing data is quantitative. This analysis has the aim of revealing and informing about events, circumstances, facts and social phenomena that are happening in an open and real way with events that occur in the field. In this study itself, the authors analysed the results of interviews with informants. Then the researcher processes the data, and analyses it, and finally gives a response to be able to answer the problems that have been determined previously.

### 3. Results and Discussion

The implementation of Land Registration activities through information technology carried out by the National Land Agency of the Republic of Indonesia, the Regional Office of the National Land Agency, and the District / City Land Office, aims to realise legal certainty, openness and accountability of public services to achieve quality services that are fast, easy, affordable and measurable in this case of course in order to realise an increase in the quality of public services. The presence of information technology utilisation is also to support public services as explained in the previous chapter. (Masri & Hirwansyah, 2023)

The author in conducting this research interviewed one of the officials of the Rights Determination and Registration Division as the Coordinator of Rights Determination and Spatial Planning stating that, actually before the existence of Law Number 11 of 2008 concerning information and Electronic Transactions, activities to utilise information technology in land registration activities had already been carried out. This refers to Government Regulation Number 24 of 1997 concerning Land Registration in Article 35 paragraphs 5, 6 and 7 which explains that gradually land registration data is stored and presented using electronic equipment which has evidentiary power after being signed and stamped by the Head of the Land Office.

The BPN has implemented the use of Information Technology in land registration activities, especially in the Regional Office of the National Land Agency of South Sulawesi Province. The utilisation of this technology has a positive influence on the efficiency and effectiveness of juridical data implementation, where the processing and monitoring of juridical data of the Land Office can be monitored by the Rights Determination and Registration Division so that this field can more easily determine rights in land activities.

Furthermore, related employees also provide reinforcement in explained about juridical data in the Application of Information Technology as follows, namely:

- a. The processing of juridical data utilising information technology through computerisation is in the form of making the basis of rights through computer printing, especially the making of deeds - deeds of sale and purchase, deeds of grants, deeds of division of joint rights by PPAT / Notary, certificates of building rights, business rights and property rights. The processing of juridical data is carried out at the district/city Land Office in this case the Regional Office only determines the Decree for the granting of rights and then processed at the Kantah according to the cover letter from the Kantah where the applicant is through the KKP (Computerised Land Office) programme, the data entered into the application system will be accessed directly to the central BPN.
- b. The juridical data process is processed by the KKP system where the data after it is complete is checked at the counter then after it is registered, the data is inputted by the Executing officer then it will automatically be processed through the system. In this case, the KKP system processes the flow of Land Registration activities, starting from the initial process of entering the application until the issuance of a land title certificate.
- c. To eradicate land mafia practices related to juridical data that has been accessed directly to the central BPN with this guarantees legal certainty by matching juridical physical data and validation data that has been recorded in the KKP application with this memimantailir movement of the land mafia because to prove the right has been recorded according to the real data sertipikat that has been issued.

Some of the results of granting rights carried out by the Regional Office of the National Land Agency of South Sulawesi with the use of information technology have been recorded in the KKP and then read by the central BPN in the National Land Agency Statistics Center for the last 5 years at the Regional Office of the National Land Agency of South Sulawesi Province. This study also interviewed a testktual admin employee in charge of controlling juridical files in the Division of Determination of Rights and Space in further explaining that in resolving public complaints in the BPN Regional Office as monitoring and supervision of Land Registration activities have been read with the use of technology in the scope of the South Sulawesi Land Agency using the Utilisation of Technology through the application of Computerisation of Land Activities (KKP) monitoring files that are still running or in land language called Arrears to imanalise certificates. (Arisaputra et al., 2017) In the process of issuing the omission of rights, it is not only the BPN that carries out the process of issuing certificates that are so long as complaints that are often heard in the community. Mrs Luky also explained that there are several factors that underlie this, starting from the community itself, ranging from incomplete supporting data for the application, applicants for certificates not being able to pay BPHTB, applicants dying, and at the time of announcement there are objections from other parties, this will certainly become arrears that hamper the land registration process. Therefore, after



finding out which Land Offices still have arrears, Monitoring and Evaluation should be carried out at the Land Offices concerned and pressure should be applied to resolve the arrears.

The implementation of the use of technology certainly has problems that are present, if you look at the good side of the positive side, (Nurwulan, 2021) namely the use of computers has an impact on the development of information in various fields including in the land sector, namely the development of a land system based on information technology so as to make work more efficient. It was explained in the interview that, on the other hand, in the use of technology there are several factors that cause Information Technology to not run optimally, be it internal factors, community factors (external), facilities or facilities. The results of the interview revealed the factors underlying the utilisation of Information Technology, namely:

a. External Factors

In land registration, community factors are very influential on the smooth process of land registration activities. Without community support, community activities will not run effectively. Regarding applications, juridical data, especially the bases of rights from the community in relation to Information Technology (computers) have been carried out by computerisation (KKP), in accordance with an interview who said that on average, land registration applications throughout the ranks of the South Sulawesi Province BPN Regional Office after the enactment of the Regulation of the Minister of Agrarian and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia concerning Electronic Land Information Services have all utilised Information Technology, both from the registration process to the final product.

b. Internal Factors

Sociologically, every law enforcer has a position and role. Position is a container that contains certain rights and obligations. These rights and obligations are positions and roles. Therefore, someone has a certain position, usually called a role holder. A right is the authority to carry out or not carry out something, while an obligation is a burden or duty. From the explanation above, it can be applied and inspire all elements of BPN or Human Resources (HR) itself, so that the existence of community phenomena regarding public services related to positions, roles and functions cannot be separated from individuals as apparatus (employees) who have perceptions, values, motivation and knowledge in order to carry out functions, duties and social responsibilities in public services in order to create services in accordance with established rules.

In addition to the results of in-depth interviews, there are external factors that often occur in the field that can allow arrears to occur so that the land registration process is hampered:

1. Mutation of Officials

Frequent mutations of officials within the Ministry of BPN due to the vertical nature of the agency, mutations are carried out as a manifestation of organisational dynamics which are used as a way to achieve organisational goals. The purpose of the mutation is as a form of refreshment in government agencies.

In the case of this mutation, it certainly hampers the signing process in determining rights to the community, which if the authorised official is suddenly transferred, of course the signing process must wait for the readiness of the authorised official to immediately resolve the arrears.

2. Internet networks in the regions are sometimes disrupted

In the application of information technology, of course, it requires an internet network as a support for the implementation of activities in the use of technology as a tool to facilitate. Interview on date according to Mr Hamzah, sometimes network constraints are disrupted, so the process of inputting juridical data is not running.

3. KKP error / Maintenance

Coupled with BPN's own internal factors when the BPN Central Data is disrupted or experiencing problems, the data entry process is stopped which usually results in a pile of application data.

4. Limited availability of human resources both in quality and quantity.

The position of Human Resources is vital in achieving the goals of every bureaucracy, referring to the quality mostly due to the limited field of knowledge of human resources, which inhibits the land registration process where counter officers who do not understand the rules in terms of land registration applications. This is also related to the workload that is present in the BPN of South Sulawesi Province, for example in Makassar City which has a high volume of workload while the ASN involved is not in accordance with the volume of workload. Too much workload can cause tension in a person, causing stress. So that automatically in its application to be more efficient it is unlikely to achieve fast service.

In contrast to Land Office which has a low volume of work, such as in Land Office on Luwu according per week land registration applications sometimes only reach 3 applications, this can ensure that land registration services can run efficiently and quickly, and the quality of human resources and workload is not too high so as to create a process according to community expectations.

For quantity in the sense of information technology utilization tools until now in the Regional Office of BPN has met the infrastructure standards to support better work. The results of the interview with Mr Hamzah regarding the conditions in the field of human resources conditions with facilities and facilities in offices in the BPN Region of South Sulawesi Province show that the application of Information Technology has been achieved where each Land Office has implemented all processes through the use of electronic media. In terms of land registration activities for the availability of human resources in the South Sulawesi Provincial BPN Regional Office in the field of Determination of Rights and Registration, the Human Resources referred to are all employees in the field of Determination of Rights and Registration as Executors of Land Registration.

#### 4. Conclusion

The implementation of land registration activities through the implementation of Information Technology at the South Sulawesi Provincial Land Office has actually been implemented before the existence of Law Number 11 of 2008 concerning information and Electronic Transactions. In addition, related to the implementation of technology utilisation, of course there are problems that are present, one of which is external factors in land registration, community factors are very influential on the smooth process of land registration activities. Without community support, community activities will not run effectively. And internal factors sociologically, every law enforcer has a position and role. Position is a container in which certain rights and obligations are contained. These rights and obligations are positions and roles. Therefore, someone has a certain position, usually called a role holder. A right is the authority to do or not do something, while an obligation is a burden or duty. In order for this to work as desired, the author suggests that more attention needs to be paid to the communication aspects and aspects of service quality at the South Sulawesi Provincial Land Office for Rights Determination and Registration. This is because there are still employees who do not understand well the national land management information system policy. And it is also necessary to improve the quality of service by paying attention to supporting factors in making services easier and faster. And the need for additional human resources or recruitment of new employees who are able to apply Information Technology, need to improve the quality of a better internet network as well as improving / updating existing hardware and software applications and improving / improving KKP applications managed by the central BPN, as well as the need for counselling / understanding of land registration activities to the community.

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