

## Implementation of the Complete Systematic Land Registration Policy (PTSL) in Tempuran District, Lemah Duhur Village

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**Abstract:** *The implementation of the Complete Systematic Land Registration (PTSL) policy often faces various challenges or problems. Therefore, the National Land Agency (BPN) has the responsibility to overcome these problems. This research uses a qualitative research method with an empirical juridical approach. The purpose of this research is to find out how the implementation of the Complete Systematic Land Registration (PTSL) policy in Lemah Duhur Village, Tempuran District, Karawang Regency, and the obstacles that hinder its implementation. The research findings show that the implementation of the PTSL policy in Lemah Duhur Village has gone well but faces several challenges. Data from the National Land Agency (BPN) shows that of the 1,800 land parcels targeted in 2017, many have yet to be surveyed, indicating a gap between targets and results. Challenges include suboptimal socialization efforts, a lack of competence among adjudication committees, and the issue of inaccurate land measurement and mapping compared to the certificate layout.*

**Keywords:** *Complete Systematic Land Registration, Implementation, Tempuran District*

### INTRODUCTION

Land is considered a sacred gift and has a very crucial value for human existence. As a source of happiness, wealth, and survival, land plays a crucial role in providing various essential needs such as food, water, shelter, and various other natural resources.<sup>1</sup> Effective and sustainable land management is the responsibility set by the state, as stated in Article 33 paragraph (3) of the 1945 Constitution, which states that "The earth and water and the natural resources contained therein belong to the State and must be utilized for the greatest possible prosperity of the people." This principle is the legal basis in Law No. 5 of 1960 concerning Agrarian Principles (UUPA).<sup>2</sup>

According to data submitted by the Minister of Agrarian and Spatial Planning/Head of the National Land Agency, from 1960 to 2016, around 40 million land

plots have been successfully registered in Indonesia, which is part of a total of about 126 million existing land plots. The remaining 86 million land plots have not been registered or do not have a certificate that provides legal certainty for their ownership or utilization. This condition shows that there are significant challenges in efforts to provide legal certainty for land in Indonesia. The presence of land that does not have legal certainty has the potential to create various problems, especially in terms of conflicts and disputes. These conflicts can arise at the level of individuals, families, communities, and even between the private sector and the government. Unclear land status can slow down the development process, hinder investment, and negatively impact economic growth and social welfare.

The Indonesian government has taken strategic steps to increase legal certainty related to land through various policies and regulations. One of the main initiatives is Presidential Instruction No. 2 of 2018 concerning the Acceleration of Complete Systematic Land Registration in All Regions

<sup>1</sup>Sri Hajati dkk, politik hukum pertanahan indonesia, (Jakarta: Kencana, 2021), hlm. 1.

<sup>2</sup>Boedi Harsono, Hukum Agraria Indonesia, (Jakarta: Djambatan, 2023), hlm. 12.

of the Republic of Indonesia. This step is supported by the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency No. 6 of 2018 which aims to achieve the acceleration of land registration until 2025. The aim of this initiative is to accelerate the complete systematic land registration process throughout Indonesia, with the hope of increasing legal certainty over land. This is in line with Law No. 25 of 2009 concerning Public Services which emphasizes the importance of effective, efficient, and transparent public services in supporting various needs of the community, including in terms of land administration. According to data submitted by the Information and Documentation Management Officer (PPID) of the Ministry of ATR/BPN in 2021, around 10.7 million land plots have been successfully registered through the Complete Systematic Land Registration Acceleration Program (PTSL). Since the start of this program, the Ministry of ATR/BPN has succeeded in registering a total of 79,191,671 land plots until 2021, reaching 62.85% of the planned completion target until 2025 of 126 million land plots<sup>3</sup>. These measures not only aim to increase legal certainty for landowners, but also to support sustainable development in Indonesia by strengthening the local economic base, reducing the potential for conflicts related to land tenure, and encouraging sustainable investment. In addition, the implementation of PTSL is also an effort to improve overall land governance, including more accurate and integrated management of data and information.

In the land registration process, it is done by making maps and lists. In addition, an important part of this process is maintaining the accuracy of physical data (e.g. land area) and legal data (e.g. legal status) recorded in

map and list formats. This includes information about the physical characteristics and legal status of each parcel of land as well as the flats. In article 19 paragraph (1) of the UUPA stipulates that to ensure legal certainty by the government, land registration is held throughout the territory of the Republic of Indonesia in accordance with the provisions regulated by Government Regulations.<sup>4</sup> The purpose of land registration is as stated in Article 3 of Government Regulation Number 24 of 1997 concerning environmental management.<sup>5</sup>

Thus, the purpose of land registration is to provide clear legal certainty to land rights. This process includes identifying, recording and verifying the ownership and physical boundaries of each parcel of land, with the main goal of ensuring that each owner or holder of land rights has valid documents as a strong legal basis. Through systematic and complete land registration, it is hoped that a situation can be created where the rights of land owners are maximally protected from potential disputes and conflicts. In addition, an orderly land registration system is also intended to facilitate land transactions that are carried out safely, transparently, and in accordance with applicable laws and regulations. Thus, land registration is not only an administrative instrument, but also an important foundation for legal and economic stability, as well as sustainable development growth in a country.

In the context of the development of the implementation of the Complete Systematic Land Registration Program (PTSL), this initiative has been implemented in every village in the district and every urban sub-district throughout Indonesia. PTSL aims to create two new land domains, namely registered land and unregistered land, as well as to improve and maintain the quality of data related to registered land. The program is an integral part of national policies to address the complexities of land administration, enforce legal certainty in land tenure, and promote

<sup>3</sup>Agus Dhanang Purnomo, dkk, "Implementasi Kebijakan Pendaftaran Tanah Sistemik Lengkap (PTSL) Berdasarkan Peraturan Menteri ATR/BPN No. 6 Tahun 2018 tentang Pendaftaran Tanah Sistemik Lengkap (PTSL) di Kabupaten Indragiri Hilir ", Master in Public Administration, Universitas Terbuka Jakarta, Fakultas Ilmu Sosial dan Ilmu Politik, Universitas Negeri Riau, jurnal pendidikan dan konseling volume 4 no. 6 2022

<sup>4</sup>Pasal 19 Undang-undang Nomor 5 tahun 1960 tentang Peraturan Dasar Pokok-pokok Agraria

<sup>5</sup>Pasal 3 Peraturan Pemerintah no 24 tahun 1997 tentang pengelolaan lingkungan hidup

inclusive and sustainable economic growth. The implementation of PTSL at the local level involves collaboration between the public and private sectors, as well as the active participation of civil society, with the aim of updating national land databases using modern information technologies and international standards in geospatial information management. Nonetheless, the program is faced with challenges such as administrative complexity, funding sustainability, and conflict of interest management, requiring strong political commitment and a measurable strategy for its long-term success.<sup>6</sup>

The main focus of PTSL is to ensure that all land parcels in Indonesia are comprehensively and accurately registered in the land administration system. This aims to provide legal certainty on land ownership rights for land owners, as well as certainty regarding the location and physical boundaries of each land plot. Thus, PTSL is expected to provide a strong foundation for transparent, efficient, and legally accountable land governance. Although PTSL was initiated to solve the problem of unclear land ownership and improve land administration services, its implementation is often faced with a number of challenges. Among others, challenges in coordination between government agencies, limited human and technical resources, and resistance from the community to the land registration process which is often considered complex and time-consuming.

One of the serious obstacles that can occur in a systematic land registration program is errors in measurement. This kind of error has long-term and complex consequences because it is directly related to the underlying land boundaries. First of all, measurement errors can spark conflicts between neighbors or adjacent landowners, which in turn can lead to lengthy and costly legal disputes. Additionally, legal uncertainty regarding land ownership can arise, leaving landowners feeling indecisive about the boundaries of their property. The process of correcting errors in measurements can also incur significant additional costs, as it often involves re-

surveying and changing legal documents. As a result, this kind of mistake can damage public confidence in the reliability of the land registration system, which can have an impact on improper land use and even damage the environment.

In Tempuran District, Lemah Duhur Village, there are records of incidents that reflect a number of problems in the implementation of the Complete Systematic Land Registration Program (PTSL), which was initiated and organized by the Government with the support of the National Land Agency (BPN), and assisted by task forces (task forces) and village representatives, namely RT/RW. The role of this village representative is limited to showing the location of the land to the BPN, which is then tasked with drawing and mapping the land.

This PTSL program has a set target, where in 2017 BPN targets the registration of 1,800 land plots, while in 2019 it targets 500 land plots. Although the target was achieved with all land parcels registered and completed in those years, there were revisions related to the land area in 40 files in 2017 and 63 files lost in 2019. PTSL is planned to be implemented within one year, but the implementation only runs for 4 months because it must meet the target of completion by the end of the year.<sup>7</sup>

According to a statement from the PTSL program coordinator, Mr. Jawahir, there were many errors that occurred during the land measurement process. This error occurred due to tight time pressure in achieving the target, where some land parcels that were not registered resulted in errors in measurement. When an error is detected in the measurement results, the re-measurement process becomes a must, consuming additional time and resources.<sup>8</sup> In addition, after the registration process is completed, there is a loss of the original file that was previously submitted when registering. This is due to the

<sup>6</sup>Petunjuk Teknis Pendaftaran Tanah Sistematis Lengkap

<sup>7</sup> Wawancara dengan Bapak Assim selaku Sekretaris Desa Lemah Duhur pada tanggal 11 Maret pukul 11.00

<sup>8</sup>Wawancara dengan Bapak Jawahir selaku koordinator Program PTSL pada tanggal 29 Mei 2024 pukul 13.00

requirements of land leveling which requires the inclusion of two types of original files, namely the Deed of Sale and Purchase and Warkah. The loss of 63 warkah and 3 certificates along with warkah after the certificate has been formed causes the status of land ownership to be unclear or invalid (fraudulent).

The impact of the loss of this file is very serious, considering that the registered land should provide legal certainty to the right of ownership. This loss not only causes administrative and legal losses, but also causes social and economic harm to affected landowners. Therefore, improving the file management system and improving coordination between various related parties are urgently needed to ensure the success and integrity of the PTSL program in the future. Based on this description, the author will review how the implementation of the Complete Systematic Land Registration (PTSL) policy in Tempuran District, Lemah Duhur Village, Karawang Regency, as well as the obstacles that hinder the implementation of the Complete Systematic Land Registration (PTSL) program.

## METHOD

This research method is a type of qualitative research. This method uses an empirical juridical approach. This research involves direct observation in the field, in-depth analysis, interpretation, and drawing conclusions from the observed phenomena. The focus of this research is to explore the meaning of this phenomenon, which then becomes the result of research<sup>9</sup> in the form of descriptive data that can be understood in the form of written or oral sentences from participants and observable behaviours. The data in this study consists of two types, namely secondary data obtained from interviews and primary data that focuses on the analysis of laws and regulations, literature such as books and documents relevant to the topic being discussed. Data collection techniques include

<sup>9</sup>Aris Prio Agus Santoso dkk, pengantar metodologi penelitian hukum, (Yogyakarta: pustakabarupress, 2022), hal. 139.

direct interviews with respondents, direct observation, and data analysis using an inductive logic approach, this approach leads to making conclusions that start from specific propositions resulting from observations, and end with the drawing of general principles or general knowledge.<sup>10</sup>

## RESULTS AND DISCUSSION

### A. Implementation of the Complete Systematic Land Registration Program (PTSL) in Lemah Duhur Village

The implementation of public policy implementation refers to a series of activities that take place after the policy concept is theoretically formulated. Effective implementation is considered a critical stage in the public policy cycle, because without proper implementation, the policy that has been formulated will lose its value and potential benefits. Policy implementation is not only about the technical implementation of planned programs or activities, but also includes the process of managing, coordinating, and allocating the resources needed to achieve the desired goals. The central role of policy implementation lies in its ability to translate the vision and objectives of the policy into practical realities that can have a real impact on society and related parties. In this context, policy implementation is not only about how the policy is implemented operationally, but also about how the policy can change or improve the desired social, economic, or political conditions in the long term.<sup>11</sup>

The Implementation Theory is obtained from Grindle's (1980: 7) statement that implementation is a general process of administrative actions that can be researched at a certain program level. The policy implementation process is an important stage after the establishment of clear goals and objectives, the preparation of a structured program of activities, and the allocation and

<sup>10</sup>Bambang Sunggono, Metodologi Penelitian Hukum, (Jakarta: PT RajaGrafindo Persada, 2015), hal. 10.

<sup>11</sup>Awan Y. Abdoellah dan Yudi Rusfiana, Teori & Analisis Kebijakan Publik, (Bandung: Alfabeta, 2016), hal. 57.

distribution of adequate funds to achieve the set goals. These steps are an essential foundation in carrying out public policy, which ensures that theoretically formulated plans and strategies can be realized practically and effectively in society. Thus, policy implementation is not just a technical process, but also a reflection of the ability of the government or organization to translate the policy vision into concrete actions that have a real impact on the stakeholders involved.<sup>12</sup> Therefore, policy implementation is considered a critical phase in the public policy cycle that has profound significance. Although the policy formulation process is important in setting the direction and objectives, implementation is a more crucial stage because it determines the real success of the policy in the real world.

Policy implementation is a series of actions taken by the government and the private sector, both individually and in groups, to achieve the goals that have been set. The policy implementation process connects the policy objectives to be achieved with concrete results from activities carried out by the government.

Policy implementation is considered crucial because the academic perspective emphasizes that every policy that has been formulated must be implemented seriously. The implementation process is a must because of the various reasons and perspectives that support it. Successful implementation not only determines the success of policy actualization in practice, but also reflects the ability of the government or organization to translate vision and goals into concrete actions that have a real impact on the community or the intended target. In this context, policy implementation plays an important role in ensuring the achievement of desired outcomes and in measuring the effectiveness and efficiency of the policy.<sup>13</sup>

The implementation of the Complete Systematic Land Registration Program (PTSL)

in Lemah Duhur Village faces a number of challenges that have not been adequately resolved. Data from the National Land Agency (BPN) shows that the PTSL target in 2017 is 1,800 plots of land, but of that number there are still many that have not been successfully fielded. This condition indicates that there is a gap between the expected target and the results achieved in the land registration process.

In 2019, the PTSL program was again continued by targeting 500 plots of land. However, the implementation of that year also experienced significant obstacles. One of the main factors is the transition from the previous government to the new government, which results in unsustainability in data management and program implementation. The new government did not get enough or complete data from the previous government, which was an important factor in the smooth implementation of PTSL.

One concrete example of an unresolved problem in the context of land administration is the loss of a land certificate belonging to a resident and the absence of a Sale and Purchase Deed required to validate the status of land ownership. Both of these issues present significant obstacles in the process of legalizing land ownership, threatening to hinder public access to their rights related to land ownership. Loss of certificates can result in legal uncertainty over land ownership, which in turn can affect the ability of individuals or groups to manage and utilize their assets effectively. On the other hand, the absence of an AJB as a document that validates land purchase and sale transactions can hinder the property transaction process and make it difficult for landowners to prove their ownership rights officially and legally<sup>14</sup>.

In the period from 2017 to 2019, the implementation of the Complete Systematic Land Registration Program (PTSL) faced a number of challenges that resulted in several

<sup>12</sup>Akib Haedar. "Implementasi Kebijakan: Apa, Mengapa, dan bagaimana", Guru Besar Ilmu Administrasi Universitas Negeri Makassar, Jurnal Administrasi Publik, Volume 1 No. 1, 2010.

<sup>13</sup>Akib Haedar, Op.cit.

<sup>14</sup> Purwanto E, Zarkasih A. Legal Politics of Land Dispute Settlement Post The Implementation of The Work Copyright Law in Realizing Security and Justice of Land Rights in Indonesia. Huk dan Keadilan. 2024;1(4):14–23.

unresolved problems, showing significant obstacles in the implementation of this policy. One of the main issues is the issuance of land certificates without being supported by accurate field maps, which is a serious indication of the discrepancy between the legal documents issued and the actual field conditions.

The research conducted highlights that the implementation of PTSL is still faced with various problems that affect its effectiveness. For example, in Lemah Duhur Village, the majority of the population does not have adequate knowledge about the PTSL program due to the lack of effective socialization activities. This lack of understanding can hinder community participation in the land registration process, which should be a strong basis for the success of this program.

In addition to the problem of socialization, the lack of human resources and the support of adequate tools to carry out land surveys are also crucial factors that affect the quality and accuracy of the data collected. Improper land measurement processes can result in inaccurate information in land certificates, which in turn can have serious legal and administrative consequences for landowners.

On the other hand, there are also several factors such as individual problems related to land ownership, technical challenges in using mapping technology, and limited resource availability that all contribute to the difficulties in the implementation of PTSL. The combination of these factors suggests that a comprehensive and coordinated approach is needed to improve the PTSL implementation process, including improvements in project management, better allocation of resources, and improved technical and administrative capabilities of the parties involved. So, it can be concluded that the implementation of the complete systematic land registration program has gone well, but there are several obstacles.

## **B. Obstacles in the Implementation of the Complete Systematic Land Registration Program (PTSL) in Lemah Duhur Village**

### **1. Lack of Socialization**

In an effort to disseminate information about the Complete Systematic Land Registration Program (PTSL) in Lemah Duhur Village, the role of the village that should involve the Chairman of the RT as the main communication channel has not reached the optimal level in reaching all levels of society. Obstacles arise due to the low level of public attention to the results of these programs, which often only pay attention to the physical aspects of the land certificate without considering the accuracy of the information contained in it.

Some of the factors that affect the less optimal implementation of PTSL socialization in Lemah Duhur Village include the location of community settlements that are scattered and far from the socialization point that is held, the rarity of regular meetings between the Chairman of the RT and residents, and the limited access of residents to social media or electronic communication platforms owned by the village. The inability to overcome these obstacles has an impact on the low effectiveness in conveying information about the importance of the PTSL program to the community<sup>15</sup>.

As a result, communication regarding the objectives, benefits, and procedures for implementing PTSL cannot be conveyed comprehensively and effectively to all villagers. The lack of public understanding of the legal implications and the importance of having accurate land certificates can affect the level of participation and support for the program.

### **2. Incompetent Human Resources**

The implementation of the Complete Systematic Land Registration Program (PTSL) in Lemah Duhur Village, there are significant obstacles related to human resources, where one of the problems is the lack of competence of the adjudication committee. The

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<sup>15</sup> Rahmad A. Harmonisasi Hukum Adat dan Hukum Pertanahan Nasional Terkait Kepemilikan Tanah Dalam Rangka Proyek Strategis Nasional. *JHK J Huk dan Keadilan* [Internet]. 2023;1(1):1–12. Available from: <https://jurnalhafasy.com/index.php/jhk/article/view/43>

adjudication committee consists of the National Land Agency (BPN) which is in charge of drawing a map of the land plot, accompanied by the RT/RW village which plays a role in showing the location of the land to be registered.

This PTSL program has a time limit of 1 year, but in practice, BPN only takes 4 months to complete the registration process. This fast process is sometimes carried out without adequate scrutiny, which results in a number of land certificates having errors, such as incorrect land parcel measurements or losing some original files such as Warkah, Sale and Purchase Deeds, and Certificates.

Adjudication committees, in this case, tend to prioritize quick completion without considering the accuracy and validity of the certificate as a whole. This is in the spotlight because the people of Lemah Duhur Village do not pay attention to the content of the certificate received, but only accept that the registration process has been completed with the BPN. Thus, even though the certificate has been received, the legal certainty and accurate data quality of the certificate cannot be fully guaranteed, presenting the potential for future conflicts or legal issues related to land ownership. From the results of the interview, it was also found that at the time of submission of the documents required for Complete Systematic Land Registration, the adjudication committee did not properly store several types of documents such as the Deed of Sale and Purchase and the original Warkah belonging to the community. Thus, causing the non-processing of land certificates for people who lost the documents.

### **3. Inaccurate measurement results**

In the implementation of the mapping of the measurement of Lemah Duhur Village for the PTSL program, there are significant challenges caused by uneven community registration. This is because some land owners do not have clarity in their land files and ownership. As a result, the required documents submitted are not fully eligible for registration for the PTSL program. The measurement and mapping process carried out in this program has a very short time duration,

causing measurements to be carried out in a hurry. This condition results in inaccuracies in the measurement results.

In addition, people who participate in the PTSL program sometimes do not care and understand the process of checking their land plots in depth. They tend to only pay attention to basic information such as the name and date of birth listed on the land deed. As a result, there are many errors in the maps of the land plots produced.

This problem was further exacerbated when the community realized that the map of the land plot used in the certificate was inaccurate when they applied for a loan to the bank. Validation of the land certificate shows a discrepancy with the actual field map. This is an important point that shows the need for improvements in the measurement and mapping process, as well as a better understanding from the community of the importance of accuracy in their land ownership documents.

In the process of measurement and mapping to make a registration base map, errors in the measurement of a plot of land that are not in accordance with the field conditions and the plan of the certificate map will place the Head of the Land Office as the party responsible administratively. This follows the provisions of Government Regulation number 24 of 1997 concerning Land Registration Article 63.<sup>16</sup>

## **CONCLUSION**

Based on the results of the research and discussions that have been submitted in accordance with the research objectives, it can be seen that the implementation of the Complete Systematic Land Registration Program (PTSL) in Lemah Duhur village has not achieved optimal performance. The identified obstacles also affect the implementation of this program. Thus, it can be concluded that until now, the implementation of the PTSL program in Lemah Duhur Village has not been satisfactory. The implementation of the Complete Systematic Land Registration

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<sup>16</sup>Pasal 63 Peraturan Pemerintah nomor 24 tahun 1997 tentang Pendaftaran Tanah

Program (PTSL) in Lemah Duhur Village has gone well. However, it faces a number of challenges that have not been adequately resolved. Data from the National Land Agency (BPN) shows that the PTSL target in 2017 is 1,800 plots of land, but of that number there are still many that have not been successfully fielded. This condition indicates that there is a gap between the expected target and the results achieved in the land registration process. The obstacles experienced by the implementation of the complete systematic land registration program (PTSL) include the dissemination of socialization in the implementation of the PTSL program is still not optimal, the PTSL program in Lemah Duhur Village faces obstacles due to the lack of competence of the adjudication committee consisting of the BPN and accompanied by the RT/RW village, and the program faces problems with the measurement and mapping of land plots that are inaccurate and not in accordance with the certificate map plan.

To increase the effectiveness of PTSL socialization in Lemah Duhur Village, a more inclusive and sustainable communication strategy is needed. This includes increasing the frequency of meetings between the Head of RT and residents, the use of various communication media that are more easily accessible to the village community, such as the use of brochures, posters, or lectures directly at strategic points in the village. In addition, the implementation of socialization needs to prioritize a more personal and educational approach to ensure that every resident has a comprehensive understanding of the process and benefits of land registration through PTSL.

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**OTHERS**

Wawancara dengan Bapak Assim selaku Sekretaris Desa Lemah Duhur pada tanggal 11 Maret pukul 11.00

Wawancara dengan Bapak Jawahir selaku koordiantor Program PTSL pada tanggal 29 mei 2024 pukul 13.00