



Forms of Services, Effectiveness, and Obstacles in Conducting Digital-Based Land Registration in The Era of Digitalization at Lembata Regency Land Office, East Nusa Tenggara Province

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Abstract

Entering the digital era, the Ministry of Agrarian and Spatial Planning/National Land Agency (BPN) has launched land services electronically. The implementation of land registration is carried out electronically, this is stated in Article 2 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning / National Land Agency (ATR / BPN) Number 1 of 2021 concerning Electronic Certificates. This is a series of digital transformations that are rolling out at the Ministry of ATR / BPN. However, there are still many plots of land for which physical data and juridical data are not yet available. This study investigates digital-based land registration services at the Land Office of Lembata Regency, focusing on their various forms, effectiveness, and obstacles to successful implementation. The research method was empirical, involving the collection of primary and secondary data through interviews and descriptive analysis. The study identified three main forms of digital-based land registration services: Electronic Dependent Rights Services, Electronic Roya Services, and Certificate Checking. However, these services have not been fully effective due to obstacles such as incomplete data validation, lack of human resources, and inadequate socialization and communication about digital-based services.

Keywords: *Form of Service, Effectiveness and Barriers to Land-Based Registration, Digital, Digitalization Era*

INTRODUCTION

With the advent of the digital age, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (BPN) has introduced electronic land services, which include digital or electronic dependent services. Among these services, the Electronic Dependent Rights service, which is guided by Regulation No. 5 of 2020 from the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency (ATR/BPN),

was the first electronic service to be launched in July 2020. The service aims to benefit the public and provide convenience for those seeking investment needs by applying for loans from financial institutions, especially banks, and PPAT (Land Deed Official) certainly hopes that the digital service will improve the efficiency and speed of services compared to manual services. This was followed by the implementation of electronic checking services. Land registration is now carried out electronically, as stated in Article 2 of Regulation No. 1 of 2021 from the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) concerning Electronic Certificates.¹

Article 2 paragraph 1 explains the implementation of electronic land registration. This is a series of digital transformations that are currently rolling out at the Ministry of ATR / BPN, where in 2020 four electronic services have been implemented, including Electronic Right of Dependence, Certificate Checking, Land Value Zone, and Land Registration Certificate. Digital-based land registration is to increase the modernization of land services, improve the ease of doing business in public services to the community, and optimize the use of electronic-based land information and communication technology.²

As for the background to the launch of electronic certificates, Dwi Purnama said for the efficiency of land registration, legal certainty, and legal protection, reducing the number of disputes, conflicts, and court cases regarding land and increasing the value of³ registering property in order to improve the ranking of Ease of Doing Business (EoDB). Electronic land registration will increase efficiency at both input, process, and output nodes, while reducing physical encounters between service users and service providers.⁴ This is because several things, namely the implementation of land registration throughout Indonesia, have not been fully registered, so physical data and land juridical data for each piece of land are not fully available.

Problem Statement

From the background above, the author formulates the existence of problems in this study, which are as follows:

- 1) What are the forms of digital-based land registration services at the Land Office of Lembata Regency?
- 2) How effective is the implementation of digital-based land registration services at the Land Office of Lembata Regency?
- 3) What are the obstacles in the implementation of digital-based land registration services at the Land Office of Lembata Regency?

¹ Kementerian Agraria Dan Tata Ruang, "Peraturan Menteri Agraria Dan Tata Ruang/ Kepala Badan Pertanahan Nasional Republik Indonesia Nomor 1 Tahun 2021 Tentang Sertipikat Elektronik" (2021), <https://peraturan.bpk.go.id/Home/Details/169177/permen-agrariakepala-bpn-no-1-tahun-2021>.

² Suci Ayu Sudari, Yuni Pambreni, and Rohmat Hidayat, "The Influence Of Service Quality On Community Satisfaction In The Development Of Population Administration," *Neo Journal of Economy and Social Humanities* 1, no. 4 (2022): 231–36, <https://doi.org/10.56403/nejesh.v1i4.51>.

³ Infopublik.id, "Penjelasan Kementerian ATR/BPN Tentang Sertifikat Elektronik," 4 Febriary, 2021, <https://infopublik.id/kategori/nusantara/508043/penjelasan-kementerian-atr-bpn-tentang-sertifikat- elektronik>.

⁴ Andi Tenri Somp Maryadi, Ahmad Suriansyah, "THE EFFECT OF SERVICE QUALITY ON COMMUNITY SATISFACTION IN TEWEH SELATAN DISTRICT, CENTRAL KALIMANTAN," *International Journal of Political, Law, and Social Science* 3, no. 3 (2022), <https://ijpls.org/index.php/IJPLS/article/view/64>.

Research Methods

In this study, the type of research is used empirical juridical, which is an effort to approach the problem under study with the nature of real law or according to the reality experienced by society. In order to obtain the results of the study, the author's methods are described below:

Table 1: Methods description of this research
[Source: data has been processed by the authors]

Primary Data ⁵	In this study, data collected by the researcher himself will be used. Data derived from the main data source in the form of actions or words on the part of respondents Primary legal material consists of laws and regulations and all official documents containing legal provisions.
Secondary data	Secondary data is data that already exists or data collected by others. In other words, secondary data is data obtained indirectly, namely literature studies or reading books, articles and documents related to the problem under study.
Research Objectives ⁶	a. To find out the forms of digital-based land registration services at the Lembata Regency Land Office. b. To find out the effectiveness of digital-based land registration services at the Land Office of Lembata Regency. c. To determine the obstacles to the performance of Land Office Employees in providing services to the community through digital-based land registration at the Land Office of Lembata Regency.
Research Benefits ⁷	a. Theoretical Benefits: The results of this research can develop legal science, especially civil law in civil law reform in Indonesia b. Practical Benefits: The results of this study are expected to provide input in the forms of services, effectiveness, and obstacles for Land Office employees in providing services to the community through digital-based land registration.
Sample	Because the number of population members consists of 12 people, researchers set all members of the population as samples using saturated sampling techniques.
Respondents	a. Land Service Employees of Lembata District: 2 People b. People who registered land in 2021: 8 people c. Community Figures: 2 people d. Total number of people: 12 people

⁵ Soerjono Soekanto and Sri Mamudji, "Penelitian Hukum Normatif, Suatu Tinjauan Singkat" (Jakarta: PT RajaGrafindo Perkasa, 2014), 2.

⁶ J. David Creswell John W. Creswell, *Research Design Qualitative, Quantitative, and Mixed Methods Approaches*, Fifth (London: SAGE Publications, 2017).

⁷ Dennis Rydarto Tambunan and Heru Kreshna Reza, "Village Community Satisfaction Index with Village Government Services," *East Asian Journal of Multidisciplinary Research* 1, no. 10 (2022): 2151–60, <https://doi.org/10.55927/eajmr.v1i10.1668>.

RESULT AND DISCUSSION

Forms of Digital-Based Land Registration Services at the Land Office of Lembata Regency

The Ministry of ATR / BPN prepares strategic steps contained in the strategic plan so that the Land Office can work in a directed and clear manner that can overcome complaints from service recipients in the land. This strategic step is carried out through a modernization program by utilizing rare information technology by launching electronic-based services that can facilitate partners of the Ministry of ATR / BPN (PPAT, Kreditor). The following are the types of digital-based land registration services at the Lembata Land Office, namely:

Electronic Liability Services (HT-e)⁸

Electronic Right of Liability is the first service launched by the Ministry of ATR/BPN. Right of Liability is a right imposed on land rights as stipulated in Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, along with or not along with other objects that are an integral part of the land, for the repayment of certain debts, which give certain positions of precedence to Creditors (Law Number 4 of 1996 concerning Land Rights and other objects related to land).⁹ Those interested in HT-el services are: first the party whose organizer is the Ministry of ATR / BPN, the second party whose implementation is the Land Office, the third party is the user of the service, namely PPAT, Creditors or other parties of financial services that are legal entities such as Banks.¹⁰ Electronic liability service for exactly 7 working days.

The requirements required by the applicant for electronic liability rights (HT-el) include:¹¹

- 1) An application form that has been completed and signed by the applicant or his attorney on stamp duty is sufficient
- 2) Power of attorney when authorized
- 3) Copy of applicant's identity (KTP, KK) and power of attorney if authorized, which has been matched with the original by the counter officer
- 4) Copy of the Deed of establishment and approval of the legal entity that has been matched with the original by the counter officer, for legal entities
- 5) Original Certificate
- 6) Deed of granting rights of dependents (APHT)

⁸ Indonesian Government, "Presidential Regulation Number 95 of 2018 Concerning Electronic-Based Government Systems." (2018).

⁹ Indonesian Government, "Law Number 4 of 1996 Concerning Land Rights and Other Objects Related to Land" (1996), <https://peraturan.bpk.go.id/Home/Details/46093/uu-no-4-tahun-1996>.

¹⁰ Arief Rahman, Wiwiek Wahyuningsih, and Sinta Andriyani, "The Electronic Registration of Liability Rights," *Unram Law Review* 5, no. 1 (2021), <https://doi.org/10.29303/ulrev.v5i1.159>.

¹¹ Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, "Complete Systematic Land Registration Technical Guide Number 1/Juknis-100.HK.02.01/" (2022), file:///C:/Users/lenovo/Downloads/Petunjuk Teknis No 1 Tahun 2022 tentang PTSL 2022.pdf.

- 7) A copy of APHT that has been parafed by the relevant PPAT to be certified as a copy by the head of the office for the preparation of a Certificate of Rights of Dependents
- 8) Photocopy of ID card of HT recipient (debtor) or Deed of Establishment of Legal Entity, HT Grantor (creditor) and/or power of attorney that has been matched in the original with the counter officer
- 9) Power of Attorney Imposes Rights of Dependents (SKMHT) when granting Rights of Dependents through a Power of Attorney.

Removal of Dependent Rights (Roya)

Regulation of ATR/BPN 9/2019 is a provision on the implementation of Roya electronically so that registration and deletion of Roya can be reached easily, quickly, simply, and at low cost. Electronic roya is carried out by creditors (banks, financial services that are legal entities) that have registered service users from the Ministry of ATR / BPN. Roya's service takes 1 working day.

The required requirements are as follows:

- 1) The completed application form signed by the applicant or his attorney on stamp duty is sufficient
- 2) Copy of applicant's identity card, KK and power of attorney if authorized
- 3) Copy of Deed of Establishment and Attestation of Legal Entity
- 4) Land Certificate and Dependent Rights Certificate
- 5) Letter of Roya/Certificate of Settlement from Creditor
- 6) Photocopy of KTP penerima HT (debtor) and giver HT (creditor) or their power of attorney that have been matched.

Certificate Checking

Certificate checking services can be submitted through the Ministry's partner application for PPAT applicants. Certificate Checking services carried out by PPAT are part of the obligation for PPAT before carrying out the deed of granting dependent rights. Based on the Regulation of the Minister of Agrarian and Spatial Planning / National Land Agency of the Republic of Indonesia Number 5 of 2017 concerning Electronic Land Information services article 1 paragraph (5), land checking services are services for checking the conformity of physical data and juridical data of land rights certificates with electronic data in databases.

The service flow is as follows:¹²

- 1) The applicant submits an application for Certificate Checking Service by accessing the <https://loketku.atrbpn.go.id> website provided by the Ministry or if there is a change it will be announced through official channels owned by the Ministry.
- 2) The applicant enters (input) data according to the Certificate to be checked. If the data requested for Checking is not yet available in the database, the Applicant can still continue the Checking service by The Applicant can confirm to the officer (back office) the availability of data/data validity through the Electronic System.

¹² Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, "Technical Instructions Number 3/Juknis-HK.02/IV/2022/, 25 April 2022 Concerning Services for Checking Certificates and Certificates of Electronic Land Registration (SKPT).," file:///C:/Users/lenovo/Downloads/Petunjuk Teknis Nomor 3 Tahun 2022_Pengecekan SKPT Elektronik.pdf.

- 3) If the data requested for CheckingCertificate is available, the Applicant uploads the application requirements.
- 4) The applicant must make a statement regarding the authenticity of the Certificate, and state that the name listed in the Certificate is the actual and good faith holder of rights and is fully responsible for the use of the data accessed.
- 5) After the application is received by the Electronic System, the Electronic System will issue a service fee deposit order.
- 6) Upon receipt of the deposit warrant, the Applicant must make payment through the perception bank no later than 3 (three) calendar days from the issuance of the deposit warrant.
- 7) The payment status can be seen through the payment status.
- 8) After payment is confirmed by the Electronic System, the Electronic System will display (preview) the data of the object of rights (physical), data of the subject of rights (juridical) and other records such as charges, blocks/confiscations if any.
- 9) The Applicant checks the preview of the results of the Checking in question with the original Certificate (Physical Certificate) held by the Applicant.
- 10) The applicant confirms the officer (back office) for the difference in data through the Electronic System, the Electronic System will forward to the authorized official to conduct re-research on the land book and data on the Electronic System.
- 11) Furthermore, the Applicant re-checks the preview of the results of the Checking if it is appropriate, then the Applicant ends the service process (completed) and the results of the Checking Service can be downloaded. The officer records on the physical Land Book concerned the Certificate Checking Service.

In terms of law, the Right to Cover service has binding legal certainty on guarantees for debt repayment, land rights guarantees are evidence of debt repayment. The creditor and the debtor make an agreement to repay the debt guarantee for land rights as stated in the deed of granting the right to dependent by the PPAT and then registered with the Land Office

The author sees that the procedure of digital-based services is used a procedure that becomes the standard for implementation or what is called the Standard Operational system (SOP). In general, the procedure for implementing this service is simple and does not take a long time. implementation of services at the Land Office of Lembata Regency. This is if studied in electronic services of the Ministry of ATR / BPN in an effort to accelerate and improve the quality of land service services by utilizing the concept of e-government. The implementation of e-Government is carried out by utilizing technology and communication in serving the community and partners of the Ministry of ATR / BPN through electronic services.

The use of technology and information is expected so that the community and partners of the Ministry of ATR / BPN are easier to receive services without face-to-face contact. Service users must follow in accordance with the procedures set by the Ministry of ATR / BPN. Electronic services can directly increase trust in the community, it can be seen that the better the quality of public services felt by the community, the increased trust in the government.

The Effectiveness of Implementing Digital-Based Land Registration Services at the Land Office of Lembata Regency

The author sees that based on the electronic land registration service launched by the Ministry of ATR / BPN, it is very practical to facilitate BPN and users (PPAT, Creditors) because in the implementation it uses a system accessed through the partner page provided by the Ministry of ATR / BPN. The applicant gave a good response in digital-based services because it was considered fast and affordable besides that the implementation was not carried out face-to-face so as to minimize and avoid activities such as corruption, collusion and nepotism.¹³

However, in its implementation, it has not been effective, far from expectations, there are obstacles that make service inefficiencies electronically, this is felt by BPN and users (PPAT, Creditors) such as when uploading documents, there are still frequent errors such as uploading documents upside down, blur / unclear, then in checking certificates where before making a deed of granting rights of dependents, there are often obstacles in land parcel certificates that have not been validated certificates so it takes approximately 3 days for the Lembata Land Office to make repairs.

In the implementation of digital services, users are required to be careful and transparent because if there is an error in the process, it will buy time to solve it. By developing e-government, which is cost- effective, time, and energy so that it can improve the quality of land services. However, in its application, it encounters obstacles such as Human Resources (HR) constraints. Human resource readiness is one of the keys to success in implementing digital-based services and improving the quality of land data.

The lack of effective digital services carried out by the Lembata Land Office is also caused by the data owned. The lack of validity of certificate data in the ATR / BPN data and information center so that the service cannot be run as in the certificate that Roya has recorded but the ATR / BPN application is still bound by the rights of dependents, then the certificate that has been validated before checking the certificate but when checking the defective system has not validated, so it must be re-verified and can even be done many times at the Office Land. The occurrence of miscommunication between leaders and employees, and lack of socialization related to digital-based land service policies in the community, can interfere with service performance.¹⁴

Obstacles in the Implementation of Digital-Based Land Registration Services at the Land Office of Lembata Regency

Obstacles are obstacles or obstacles that are not desirable and can hinder one's development in many ways and want to be eliminated Digital-based services implemented by BPN are intended to improve service quality and meet the needs of the community so as to accelerate services. The implementation of digital land registration is inseparable from the advantages and disadvantages of this which affects the quality of service.

¹³ Kominfo, "Pemerintah Kebut Digitalisasi Layanan Publik," 2023,

<https://www.kominfo.go.id/content/detail/47280/pemerintah-kebut-digitalisasi-layanan-publik/0/artikel>.

¹⁴ Ömür Kılınçarslan and İbrahim Efe Efeoğlu, "Digital Conflicts in Businesses' Organizational Behavior," in *Conflict Management in Digital Business*, ed. Fahri Özsungur (Emerald Publishing Limited, 2022), 223–40, <https://doi.org/10.1108/978-1-80262-773-220221021>.

Based on the results obtained by the author, the obstacles to digital-based land registration services at the Land Office of Lembata Regency are as follows:

- 1) Obstacles experienced in land data validation are the main obstacles in digital services. Data quality will determine the success of digital services because if poor Land Data quality results in service user dissatisfaction, errors occur during the service process that can buy time for data validation to be carried out.
- 2) Obstacles experienced by the lack of competent human resources in addressing problems in digital-based services. Human Resources (HR) become an important part of several resources owned by an organization. Being an important part because without human resources an organization cannot run well even though other resources are met. No matter how good a system is, it will not be able to run well if it is not supported by professional human resources.¹⁵
- 3) Obstacles experienced when checking certificates and tracking data experience server disruptions because the use of the Mira application during the same working hours throughout Indonesia makes the server error, and also when registering a dependent rights application if the system is disrupted, the application for the right to be held cannot be tidbit and declared void so that the applicant must re-register and apply for a refund of service fees.
- 4) The obstacles experienced by the lack of public knowledge related to digital-based services make it easier for the community so that it does not take long.
- 5) Obstacles experienced lack of socialization and communication from BPN with service users in using services electronically. Socialization related to digital-based services is very important so that service users can perform services in accordance with the provisions of the law and minimize the occurrence of errors that can buy time and harm service users. References

CONCLUSION

Based on the results of the research and analysis used in this study concluded as follows:

- 1) The forms of digital-based land registration services at the Land Office of Lembata Regency include electronic integrated dependent rights services in their implementation guided by the Regulation of the Minister of ATR / BPN Number 5 of 2020, Roya (Elimination of Dependent Rights) and Electronic Certificate Checking referring to the Regulation of the Minister of Agrarian Affairs and Spatial Planning/ National Land Agency of the Republic of Indonesia Number 5 of 2017 concerning Land Informationservices Electronic Article 1 paragraph (5) Land Checking Service is a service for checking the conformity of physical data and juridical data of land title certificates with electronic data in databases.
- 2) The effectiveness of the implementation of digital-based land registration services at the Lembata Regency Land Office has not been effective in its implementation, there are obstacles that make the inefficiencies of BPN which are still the main problem are data validation is not so optimal, human resources are less competent, then the system error when inputting data so that it delays service and has to repeat the process

¹⁵ Roman Hadi Saputro, "Tantangan Pelayanan Publik Berbasis Sistem Informasi Di Era Revolusi 4.0," *SAWALA: Jurnal Administrasi Negara* 9, no. 1 (2021): 89–101.

back to the beginning and hampers the service process and lack of socialization and Communication related to digital-based land registration service policies to service users and the community.

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