



The Policy of Village Web-Based Land Affairs Administration Management as Prior Evidence in Land Registration in Indonesia*

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Abstract

Indonesia has not had good land affairs administration management yet at Village Government Level. Land conflict or dispute derives from village's very limited, manual, and outdated data. Data at village level still refers to data inherited from East Indie government time. The data available cannot meet the modern need today. Relatively inadequate human resource at village level and low awareness of land affair administration discipline within society make the change of prior data supply difficult. This research will study the utilization of village web in providing prior evidence of land registration and the juridical construction of web-based land affairs administration management to the organization of village government. The normative juridical research method with statute and conceptual approaches was used to address the problem of research. The result of research showed that the data of land affairs presented by village web can be the prior evidence as governed in Government Regulation about Land Registration and the provision without changing the source of evidence that can be either written evidence or testimony. The juridical construction of village web-based land affairs administration management derived from Village Law, Archive Law, and Information and Electronic Transaction Law. Village government can present the web-based land affairs data and make it electronic evidence.

Keywords: Management, Administration, Land Affairs, Village Web

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Kebijakan Tata Kelola Administrasi Pertanahan Berbasis Web Desa Sebagai Bukti Awal Dalam Pendaftaran Tanah di Indonesia

Abstrak

Indonesia belum mempunyai tata kelola administrasi pertanahan yang baik di tingkat Pemerintah Desa. Konflik maupun sengketa tanah bersumber dari data desa yang masih sangat minim, serba manual dan usang. Data-data di tingkat desa masih mengacu pada data peninggalan sejak jaman pemerintah Hindia Belanda. Data yang tersedia tidak mampu lagi mengikuti kebutuhan modern saat ini. Sumber daya manusia yang relative kurang di tingkat desa serta kesadaran masyarakat terhadap tertib administrasi pertanahan yang rendah menyulitkan berubahnya penyediaan data awal. Penelitian ini akan mengkaji pemanfaatan web desa dalam menyediakan bukti awal pendaftaran tanah dan konstruksi yuridis tata kelola administrasi pertanahan berbasis web bagi penyelenggaraan pemerintah desa. Metode penelitian yuridis normatif dengan pendekatan perundang-undangan dan pendekatan konseptual digunakan untuk menjawab persoalan penelitian. Hasil penelitian menunjukkan bahwa data-data pertanahan yang disajikan oleh web desa dapat menjadi bukti awal sebagaimana diatur oleh Peraturan Pemerintah tentang Pendaftaran Tanah dengan ketentuan tanpa merubah sumber alat bukti yang dapat berupa bukti tertulis maupun kesaksian. Konstruksi yuridis tata kelola administrasi pertanahan berbasis web desa bersumber dari UU Desa, UU Arsip dan UU Informasi Transaksi Elektronik. Pemerintah Desa dapat menyajikan data pertanahan berbasis web dan dijadikan sebagai alat bukti elektronik.

Kata Kunci: Tata Kelola, Administrasi, Pertanahan, Web Desa

Политика Управления Земельной Администрации На Базе Деревенской Веб-Версии Как Первоначальное Свидетельство При Регистрации Земли В Индонезии

Аннотация

Индонезия всё еще не имеет надлежащее управление земельной администрации на уровне деревенских властей. Конфликты и земельные споры происходят из деревенских данных, которые все еще очень минимальны, полностью ручные и устаревшие. Данные на уровне деревень по-прежнему относятся к устаревшим данным со времен правительства Голландской Ост-Индии. Доступные данные больше не могут соответствовать сегодняшним потребностям. Относительная нехватка человеческих ресурсов на уровне деревень и низкий уровень осведомленности общественности о порядке управления земельной администрации затрудняли изменение предоставления исходных данных. В этом исследовании будут рассматриваться использование деревенского веба для предоставления первоначального свидетельства регистрации земли и юридическое оформление управления земельной администрации на базе веб-версии для организации деревенского правительства. Для решения исследовательских задач используются нормативные юридические методы исследования с нормативным и концептуальным подходом. Результаты исследования показывают, что земельные данные, представленные на деревенском вебе, могут быть первоначальным доказательством в соответствии с Постановлением Правительства о Регистрации Земли, при условии, что не изменился источник доказательств, которые могут быть в форме письменных доказательств или свидетельских показаний. Юридическое построение управления земельной администрации на базе деревенской веб-версии исходит из Закона о деревнях, Закона об архивах и Закона об информации электронных транзакций. Правительство деревни может предоставлять данные о земле на базе веб-версии и служить в качестве электронного доказательства.

Ключевые Слова: Управление, Администрация, Земля, Деревенский Веб

A. INTRODUCTION

The introduction should contain (sequentially) the general background and research question or hypothesis. If there is a literature review, it can be included in this chapter. The study objective should be written at the end of the introduction.

Ministry of Administrative and Bureaucratic Reform (*Kementerian ATR/BPN*) (2018) reports about 8500 land cases distributed in all provincial regions of Indonesia. Out of 300 cases taken as the sample, from the subject side, it can be seen that the largest number of land affairs cases is related to the conflict involving corporation (company) as one party (18 percents), the governmental institution as one party (15.8 percents) and individual (10 percents). The domination of the problem started with undisciplined and undocumented village land management, and unclear land history as it is not supported with good archiving. (<https://www.atrbpn.go.id/>)

Article 33 paragraph (3) of the 1945 Constitution is used as the basis for the constitutional agrarian in Indonesia, which reads "Earth, water and natural resources contained therein are controlled by the State and used for the greatest prosperity of the people". This provision gives great responsibility to the State so that the earth, water, and natural resources contained therein are placed under the control of the State, with the aim of such control being used for the greatest welfare of the people. According to Muhammad Bakri, the prosperity to be achieved is prosperity for as many people as possible without violating the rights of others. (Muhammad Bakri, 2007: 35)

Land registration is a Government policy and is implemented as an effort to align the land registration comprehensively for the community. These ways are regulated in Government Regulation Number 24 of 1997 years about Land Registry, they are: First, A land registration systematically is the first time of activity registration of land conducted simultaneously covering all objects of land registration that have not been registered in the territory or part of a village/district. Second, sporadic land registration is the first land registration activity concerning one or more objects of land registration within the territory or part of a village/district individually or massively. (Sri Suhediningsih, etc, 2018:288-291)

According to Boedi Harsono, land tenure rights contain a series of powers, obligations, and/or prohibitions for the right holder to do something about the land that is entitled. Something permissible, obligatory, or prohibited to do, which is the content of the control right, is the criterion or measure of

differentiation between land tenure rights regulated in the Land Law. (Boedi Harsono, 2006: 24) Regular registration of land administration in the village will help land rights holders prove ownership.

A high number of agrarian conflicts, particularly concerning land use and natural resource management in Indonesia, shows the importance of agrarian reform. Land registration is the land owner's obligation to get the right evidence. Prior data in this process derives from the presentation of juridical data at the village level. Village Government has juridical data on the land object in its jurisdiction called Letter C enclosed with the map, but this data validity is often incompatible with the fact, in addition to unrecorded changes, missed documents, or other problems.

Land registration is the obligation of the land-owner to get the right evidence. Prior data in this process is derived from juridical data presentation at the village level. The village government should have juridical data over the land object in its jurisdiction called Letter C with map enclosure, but this data validity is often incompatible with the fact, in addition to unrecorded changes, lost document, or other problems.

A land dispute among members of society is originally triggered more by note or documentation included in Village Book or Letter C. Although Letter C does not have absolute proof power, the name included within it is the name of the owner, and so is *ketitir*. However, in reality, each land registration process is implemented for the first time either systematically or sporadically, the documentation in Letter C is used as one evidence for an individual's ownership over a plot of land in addition to other evidence, the testimony from the village leader or apparatuses knowing the history of the corresponding land ownership. With administrative discipline at the village, village book documentation or letter C is of course under the village head's mastery fully. Thus, the village head and his/her apparatuses should be careful and honest in every lawful deed.

Rina et al's (2019) study found that in Madura Island, letter C becomes a political document of village head position. Some former Village Head has restrained this state document, and it will be handed over to the elected Village Head after the elected Village Head redeems it with an amount of money. The availability of land juridical data in this book model still has some weaknesses, besides, to vulnerable to damage, loss, outdated, it can also be the politicization object of village head position.

The implementation of administrative discipline in the land affairs field is also inseparable from the role of village head as the lowest official In village

environment with duty and authority of conducting bookkeeping about a plot of land's ownership expected to do so more thoroughly and orderly, related to either ownership or the transfer of right due to lawful deed or the transfer of right not due lawful deed (inheritance). Concerning the application for land registration of the right to custom-owned land, the village head plays a very important role.

People's awareness of land affairs administrative discipline is still low due to their legal ignorance and limited information on the procedure of administering the evidence of right-to-land or certificate ownership. The land dispute case is due, among others, to undisciplined land affairs administration and haphazard management at the village level, so that land affairs administration is not documented well. This condition makes the land history unclear, and thereby the citizens do not have the certificate as the legal proof of land ownership. Generally, villages have not had good land data archiving yet due to limited human resources, moreover representative land map.

Village governments and apparatuses through Indonesia are required to be able to arrange and to have complete data on land in their jurisdiction. The central government should realize that one of the important elements of Agrarian Reform is to regulate the empowerment of village apparatuses to enable the land affairs administration to be done independently to reduce potential agrarian conflict. The availability of land juridical data with this book model has weaknesses, in addition to being vulnerable to damage, loss, outdated, and being politicization object of Village Head position. Digital era and the Village's imperative to present web-based village information system as mandated in Village Law No.6 of 2014 can be an opportunity of including the web-based village land affair administration policy into the public document to be accessible widely, without a worry about its loss or being politicization media. The problems that can be posed based on this research background are: firstly, can web-based village land affairs administration be used as the prior evidence of land registration? And secondly, how is the juridical construction of web-based land affair administration management to Village Government organization?

Literature Review

According to Adrian Sutedi: "Land registration is a prerequisite to organize and regulate land use, ownership, ownership, and use, including to overcome various land problems. Land registration is shown to provide certainty of rights and legal protection for holders of land rights with proof of land

certificates, as an instrument for structuring the ownership and ownership of land and as a controlling instrument in the use and use of land." (Harsono, 2003, 59). According to Boedi Harsono: "Land registration is a series of activities carried out regularly and continuously to collect, process, store and presents certain data regarding certain fields or lands that exist in a particular area with a specific purpose." (Harsono, 2003, p, 46). The definition of land registration according to Adrian Sutedi is: "A series of activities carried out by the State / Government continuously and regularly, in the form of gathering certain information or data concerning certain lands in certain regions, processing, storing and presenting them for the benefit of the people, to guarantee collateral. legal certainty in the field of land, including the issuance of proof and maintenance " (Sutedi, 2014, p, 59)

Land Registration which produces several kinds of rights such as (1) Property Rights; (2) Building Rights; (3) Business Use Rights; and (4) Management Rights, and Use Rights and other rights stipulated in Law Number 5 Year 1960 concerning Basic Principles of Agrarian Regulation hereinafter referred to as UUPA. That protection of legal certainty on land rights is an absolute requirement in the business world for the smooth flow of investment. Sri Ahyani, 2017, P. 206).

The negative system created an impact on the legal certainty itself. Holders of land rights that can prove valid evidence will be protected by applicable law. The advantages of the negative system are a) the protection of the right holder; b) the presence of a land history investigation before the certificate is issued. In a negative registration system, for land registry officials there is no obligation to check on behalf of the registrant of their rights. Land registration officials register the rights in the general lists on behalf of the applicant without prior examination of the applicant, so that the registration work of transition of rights in the negative system can be done quickly and smoothly, as a result of no examination by the land registry officials. The weakness of the negative system is the unwarranted truth of the contents of the general lists provided in the course of land registration. (Moh Ali Wafa, 2017, p.245)

In facing the problems of land registration, when synergized with the development of advanced information technology, the following measures are needed in the future:

1. Regulating land registration at a law (act) level, to realize legal certainty;
2. Developing a land registration system easily accessible to people;

3. Utilizing a design as a reference and instrument of coordinating developments inter-localities and intersections;
4. Following up the development of information technology especially Continuously Operating Reference Station (CORS) technology synergized with the applicable land registration system; and
5. Developing CORS infrastructure at each Regional Office and Regency/Municipality Agrarian Office throughout Indonesia;

Carrying out land registration online in stages, so that in the end it may help accelerate land registration throughout Indonesia (Darwin Ginting, 2016, p. 186).

B. METHODS

The research methods should elaborate on the method utilized in addressing the issues including the method of analysis. It should contain enough details allowing the reader to evaluate the appropriateness of methods as well as the reliability and validity of findings.

To answer these research problems, the research method employed was the normative law research method. The normative law research method studied legal norms and principles, legal issues suggested by referring to secondary data consisting of primary, secondary, and tertiary law materials. The primary law material intended includes Agrarian Basic Law, Village Law, Government Administration Law, Archive Law, Information and Electronic Transaction Law, and other relevant laws, and government regulation and other implementing regulations relevant to the topic of study. Secondary law materials derived from doctrine, expert, scientific work in some scientific journals related to the web-based village land affair administration management. Included in secondary law material is also the interview with the key informant to support the primary law material. The data collected were analyzed using the qualitative method.

C. RESULT AND DISCUSSION

1. Web-Based Village Land Affairs Administration as Prior Evidence of Land Registration

Indiscipline in doing the lawful deed and land registration among the holders of rights will generate some problems vulnerably. As mandated in Article 19 clause (1) of UUPA mentioning that "To ensure law certainty, Government conducts land registration throughout the Republic of Indonesia's

territory according to the provisions governed by Government Regulation". Finally, Government Regulation (PP) No.10 of 1961 is published and then amended with PP No.24 of 1997. Administrative discipline should be conducted not only by the government and people (society) as the owner or holder of right-to-land but also by the village head. Article 3 of PP No.24 of 1997 mentions that the objectives of land registration are: (1) to give law certainty and protection to the holder of right-to-a plot of land, tenement unit, and other registered rights to easily authenticate themselves as the holder of corresponding right; (2) to provide information to those interested, including government, to obtained necessary data easily in conducting lawful deed concerning plots of land and tenement units registered; and (3) to organize land administration discipline.

Conflict management needs endeavor from all parties: government, society, and business performer. Although the government has promoted some reorganization in the land affairs field, agrarian conflict arises continuously in many regions. One of the factors resulting in agrarian conflict is administration error in giving the right-to-land. This violation case results not only from BPN and government but also from society (people) not know the access to correct land affairs administration mechanism, it can be prevented through implementing a systematic land affairs administration management policy system by involving village government.

Village administration disciplining is an early step toward law protection and certainty. Action should be taken by the village head or head of *kelurahan* by documenting the land plots when transfer or imposition of right-to-land occurs. The implementation of various regulations is a preventive measure to maintain and to protect its citizen's rights and village asset land (village cash land).

Rina et al's (2019) study found that the Former Village Head of Madura's culture of restraining land juridical data at village level (letter C) has harmed the people who want to register their land (to get a certificate). Policy innovation in the attempt of agrarian reform by providing web-based village land affairs administration management is important to reduce potential conflict. There are 4 (four) things to be prepared by village government in conducting function and responsibility for public service, refers to Law Number 25 of 2009 about Public Service: 1) arranging and setting up the service standard, 2) organizing, setting up, and informing the service announcement, 3) positioning skillful executor, 4) providing facilities, infrastructure, and/or providing public service facilities supporting the good and adequate service.

One of land registration activities is that of maintaining the land registration data, particularly if a transfer of right-to-land occurs, transfer of right in the attempt of liquidation and imposition can be registered if only it is authenticated with the deed made by PPAT (Notary Public). This provision is a confirmation that the function of PPAT is in a series of land registration implementation, help the Chairperson of Land Affairs Office, as the executor of land registration, by providing proofs to be the foundation to the change of certain land registration data. Therefore, information appropriateness, certainty, and truth written on the deed made are required as a means highly determining the land registration process and the protection of people's right to land. Consequently, Notary Public, in addition to being responsible for the certainty and truth of deed content, should also obligatorily deliver the deed and or other letters to Land Affairs Office (Samun Ismaya, 2013: 89)

Article 23 of Government Regulation No. 24 of 1997 mentions that the procedure of administering the new right to land is authenticated with Notary Public's original deed containing the transfer of right by the holder of the property to the receiver of corresponding right when it concerns the building using the right and the user right or property. Waskito said that in the case of the people's land ownership evidence is not complete or no evidence at all, including the evidence of the ownership of land right purchased with the trading model, according to customary law system, in the attempt of the land registration process to get a certificate, it can be complemented and authenticated with a written statement about physical mastery of land plot with the goodwill by the corresponding one. The elements of goodwill consisted of physically mastering, using, utilizing, and maintaining the land hereditarily in a certain period and/or obtaining through not breaking the provision of legislation. To prove the goodwill, the applicant makes a statement, explaining that: a) there is no objection from another party to the land owned or the one not entering into the dispute; b) not belonging to or not Government's asset, local government's asset, or State/Local Government-Owned Enterprises' asset (Waskito and Hadi Arnowo, 2017: 114)

The regulation of land registration in Government Regulation Number 24 of 1997 administratively requires a variety of documents started with prior data presented in village government. No further rule is available related to standard validity and data truth given by the village government; this condition potentially generates conflict. It is time to integrate the presentation of data conventionally into a web-based village information system to enable the data validity to be recorded securely and accessible anytime and anywhere.

The evidence of land ownership consists of ownership evidence on behalf of the holder of the right in the effective period of UUPA and if the right has been transferred, the proof of right arrives at the holder of the right's hand successfully at the time of right bookkeeping. The intended written evidence can be: [Explanation of Article 24 of Government Regulation of 1997 about Land Registration])

1. Eigendom Recht (Right of Property) Deed Grosse published based on Overschrijvings Ordonantie (Staatsblad 1834-27), that has been annotated that the corresponding eigendom right is converted into proprietary;
2. Eigendom Recht (Right of Property) Deed Grosse published based on Ordonantie (Staatsblad 1834-27) since the enactment of UUPA up to the date of land registration is implemented according to Government Regulation No.10 of 1961 in the corresponding region;
3. Evidence letter of proprietary published based on the corresponding *swapraja* regulation;
4. Certificate of proprietary published based on Minister of Agrarian Affairs' Regulation No.9 of 1959;
5. The decision of proprietary right given by the authorized, either before or since the enactment of UUPA, not accompanied with the obligation of registering the right of the one having obligation as mentioned within it;
6. The underhand document of right transfer stamped with *tanda kesaktian* (supernatural power sign) of Chieftain/Village Head/Kelurahan Head before the enactment of Government Regulation No. 24 of 1997;
7. The document of the transfer of Right-to-Land made by Notary Public, the land of which has not been booked;
8. *Pethuk Pajak Bumi/ Lendrente, girik, pipil, kekitir, and Verponding Indonesia* before the enactment of Government Regulation No.10 of 1961;
9. Certificate of land history ever made by Land and Building Tax Service Office.

In the case of written evidence is not complete no ownership authentication is available, witness' information or statement of the corresponding that is trustable according to Adjudication committee can be used in systematic land registration or by Chairperson of Land Affairs Office in sporadic land registration. (Andy Hartanto. 2014: 31-32)

The proofs necessary in the land registration process as governed in Articles 23 and 24 of PP 24 of 1997 originating from the data presented by the village government. Meanwhile, Indonesia has not had good land affairs administration management at the Village Government level. Land conflict and dispute results from the very limited, manual, and outdated village data. The data at the village level still refers to the data inherited since the East Indies' reign. Innovation in the village government organization with law certainty, particularly inland affairs administration management can be conducted by performing data migration originating from manual data to digital data.

Innovation, in addition to being conducted in the attempt of reforming public service, governance can also be conducted on the reinforcement of regulation as the legitimacy foundation on a new policy. Considering Talcot Parson's idea (Adi Suhendra. 2018: 39-48), the innovative approach in the attempt of changing governance includes *Adaptation, Goal Attainment, Integration, and Latency* or *latent pattern-maintenance*.

Information technology utilization is a part of governance, along with the increased need for accurate and fast information availability. Information technology advance is made the utilization of internet network enabling people to access and to acquire data available together through an interconnected network. globalization and technology era encourages the need for fast and appropriate information. It is considered vital to many aspects of society. A website is a set of web pages connected to other related files. On a website, there is a page called the home page. The home page is a page seen for the first time when an individual visits website. (Fahrur Rozi dan Tomy Listiawan. 2017: 107 – 112)

Utilizing the village web, the manual data of land plots existing in the village can be changed into a digital one. This information will be a part of the village electronic data/document that can be prior evidence of land registration. This digital data will store relatively securely and authentically because of the migration of manual data without changing the purpose of information truth.

The government issued Law No.23 of 2014 about Local Regulation and Village Law No.6 of 2014 in an attempt of solving local and village government problems. The local autonomy policy is intended to improve people's wellbeing by giving service, community empowerment, and improving local competitiveness. Therefore, people should always expect local government and village government to provide better public service to improve community empowerment and local competitiveness. It can be realized through the Local and Village Government's creativity and innovation as mandated by

Government Regulation No. 38 of 2017 about Local Innovation and Minister of Village's Decision No.48 of 2018 about Guidelines of Village Innovation.

Villagers need fast and appropriate information to prevent them from being left behind; therefore village government should a village information system for public and technology advances that can be used in village or community development from a poor condition toward a better condition. Village development needs communication and information roles. Village information system (SID) is an integral part of village development and rural area development. (Intan Fatma Diani, 2014: C31)

Village information systems, particularly land affairs administration should be applied by the Village Government in Indonesia to provide information quickly and appropriately. Village government through village government should keep innovating in the attempt of performing good governance and public service. Technology advance should be considered as the factor supporting the government's advance. Regulation and policy is also a very important component in innovation because it will be the legitimacy foundation of many action plans over innovation initiated. For that reason, this legal apparatus should be presented first in an attempt to ensure juridical certainty.

2. Juridical Construction of Web-Based Land Affairs Administration Management to the Organization of Village Government

Performance and human resource of land affairs administration at Village Government level is a dominant factor of land affairs administration quality itself. Performance and human resource of most Village Secretaries, as the ones responsible for land affairs administration, can be said as limited to meet the people's need in sophisticated land affairs administration field corresponding to the need and the development of time recently.

Orderly Administration in the Land Sector is one of the objectives of the Land Order Chess stipulated in MPR Decree Number IV / MPR / 2978 as a basis and at the same time a target for restructuring the use and ownership of land as well as programs in the land sector in the context of its realization. land for the welfare and justice of the Indonesian people. (Danang D.Alamsah: 2012)

Political changes since the reform era in 1998, have pushed demands on the urgency of reorganizing the life of the nation and state, including the regulation of land law policies. A new direction of reform in land law, especially in land law policies, needs to be designed to support democratization and the

formation of clean and good governance, which is characterized by a rational, transparent and competitive government between departments in providing services, encouraging law enforcement and being willing to give accountability to the public. (public accountability) regularly. (Widhi Handoko, 2019: 23-43)

The definition of Land Administration is a business and management related to the implementation of government policies in the land sector by mobilizing resources to achieve objectives following the provisions of the applicable laws. Land administration is part of state administration because land administration is an attempt by the government to organize policies in the land sector which are implemented by the National Land Agency (BPN) (Purwaningdyah dan Agus Wahyudi: 2012)

Most land affairs administrators at Village Government have not been motivated to correct this condition. Gili Anyar Village's Head in Madura stated that most villages still rely on outdated data since colonial time, even many of them stated that the data was lost, and there are only "outdated" very inadequate manual register books compared with dynamic and problematic developing continuously within society in the present and the future. This document is considered as a political document mastered by the village head. The awareness of the land affair administration related to the public interest with broad problem spectrum is as if eroded completely by "authoritative" feeling, that what existing now is "secure or safe" without the future thinking of what effect will be generated by "haphazard" land affairs administration management so far. The Head of Gili Anyar Village in Madura wants the change of modern land Affairs Administration Management to avoid the potential conflict. (Result of interview with Masdali, the Head of Gili Anyar Village, Kamal Sub District, Bangkalan Regency, on July 8, 2020).

The limited information system on land in the Land Office has so far hampered services to the public who would take legal action with the land concerned. The administrative order of the land affairs is the main policy of land to realize the complete data of each registered land plot and is known easily, both regarding history, ownership, subject of rights, physical condition, and procedural order in any matters concerning land excavating land registration. The result of the research is "Sinden Bertapa" is a participatory mapping product that can realize the Order of Land Administration as the initial data to help the land registration program through PTSL to build One Map Policy (Ana Silviana, 2018: 282-297). Many lands are uncertified in the region of Malang District. The great distance to afford BPN Office of Malang District makes the community to hesitate from administering their land. The result of research indicates that

LARASITA Program is a progressive step by BPN of Malang District to facilitate the administration of land certificates for the community in the remote area. (Ahmad Rizki Dewanto et. all. 2014: 243-249) Good village land administration will accelerate the implementation of the Larasita program.

In the attempt of protecting the land plots and village asset land in the form of village cash land, disciplinary actions should be taken. The village head or Kelurahan Head has been obliged to implement the regulation as a preventive measure in maintaining and protecting their citizens' rights and the village asset land. It can be done through, among others, documenting and recording in a disciplined manner any change (mutation) occurs on the land plots existing in their area. Without an attempt of reaching the village level, the legal framework existing cannot help resolve a variety of land disputes occurring in the region. Land disputes taking much time, energy, and money, and harming the good relationship between the parties in the conflict can be prevented by implementing systematic land affairs administration management system and involving the skillful village apparatuses.

Central government should realize that one of the important elements in Agrarian Reform is village apparatus empowerment to allow for the independent implementation of land affairs administration. Supported with a strong data system and adequate human resources, the availability of archive and land affairs data is necessary to the public (society) to reduce potential agrarian conflict.

Besides, the good administration at the village level will facilitate the land affairs office to perform land legalization by publishing land deed (certificate). Moreover, if the village belongs to the category of ones getting PTSL (Direct Systematic Land Registration) program, the role of Village Head is very important. The village head will make documentation, give a covering letter, and make coordinate with District Head to be forwarded to Land Affairs Office in the individual regency. Village/Kampong apparatuses should understand their duty and function, particularly in the organization of village administration, so that each of the programs can run well. If village/kampong apparatuses understand and undertake their function, people will be facilitated in dealing with administrative affairs, particularly in land affairs administration.

Land affairs administration intended here is the land affairs administration management at Village Government level by utilizing village web. Land affairs administration is one of the elaborate and complicated administrations about the ownership status of land vulnerable to generating horizontal conflict within society. The land affairs administration model or form

existing so far has been very outdated. Breakthrough and innovation are needed in developing land affairs administration.

The utilization of technology is one alternative to be used to correct this condition. The use of web village in this land affairs administration will be very helpful. The village web intended should be consistent with manual data and its authentication can be accountable for. Simple data deriving from manual data and changed into digital data can be included as prior information in the village web by containing the detailed data of each number written on Letter C (corresponding to data of SPPT PBB), Mutation or Right Transfer Process. This simple information can be before evidence of the land registration process. The function of letter C as the prior evidence of land registration is very important as it can be the foundation of land mastery by a certain party. Village's Letter C book can be categorized into juridical data, as it is proof that can indicate the subject of land ownership. The village government organization will run smoothly when all documents needs are available well.

Village web is recommended as it accessible anytime and anywhere. It is different from manual or electronic data in the form of the file as it still can be protected by the management and can be accessed publicly. Using technology appropriately will be much cheaper compared with the benefit gotten, and technology development should be utilized to improve the weaknesses that can develop into a problem.

The use and development of the system intended facilitates the village government to govern, to control a large volume of data, to minimize error, and to maintain consistency between processes. The information system of village land affairs administration can be integrated into the documentation information system that has run in the village. Conventional administration and archive management in letter c/big book should be presented as well through digital system-based land affairs information. The public web-based documentation will facilitate the acquisition of information on village land affairs administration, besides, public transparency should be performed. Village Information System is a program designed by CRI since 2009, adopted later into Village Law to give participative space for people and village apparatuses in building their village democratically through opened software. Technically, this program is expected to help the village government and its citizens document the village-owned data more easily. Village Government should see smartly the time development situation requiring a change by utilizing technology as innovation. (Apriyansyah, et all, 2018: 11)

In the publishing of certificates of land rights, the government should be able to provide legal certainty. Legal certainty can be achieved if the government's action is performed accountable. Transparency in land registration is the most important thing in the case of registration of land so that the maintenance and services procedures run as expected by the public. The effect of the principle of transparency sustainably, it is expected that the information relating to the publishing of a certificate to be accessible to all parties so that if there is information that is considered wrong to do immediate repair. (Muhammad Ilham Arisaputra. Et.all. 2017: 276-291)

Legitimizing the village web-based land affairs administration management can refer to Village Law Number 6 of 2014 and Archive Law Number 43 of 2009. Village Law Jo Minister of Internal Affairs Number 44 of 2016 about Village Authority states that the village's authorities include: the Organization of Village Government, the Implementation of Village Development; and the Village Community Empowerment. Village Government, according to Village Law, plays a very strategic role in organizing the government. In organizing village government, Article 86 of Village Law obliges the Village to develop a village information system. Village Information System (SID) is an integral part of village development and rural area development. With the presence of village development paradigm change, SID plays a more important role. Therefore, SID should be developed corresponding to the vision of Village Law making the village strong, independent, prosperous, and democratic, and SID is governed specifically in Article 86 of Village Law. SID is not a new thing used to support village planning and development. Before governed in Village Law, many villages have developed SID with initiative or facilitation from regency/city government. The regulation of SID explicitly in Village Law makes SID playing more important in village development and rural area development, particularly concerning data information management.

Article 86 clause (1) of Village Law mentions that SID is developed by the government and regency/city government. Meanwhile, clause (5) mentions that SID management is conducted by the village government. Article 86 clause (4) states that this SID developed by government and local government encompasses Village Data, Village Development data, rural areas, and other information related to village development and rural area development. This regulation indicates that the SID platform is dependent on the regency/city government's supply. Nevertheless, local government should give the villa the larger opportunity of developing itself, thinking of and prioritizing and managing their own needs by not overriding sustainable supervision and building. It is in line with the spirit of Village Law in going toward the realization

of an advanced, independent, and prosperous community. The development of SID can also present information on land affairs administration as it is consistent with the obligation of providing data of government organizations.

SID as a part of public information is the document of government organization as governed in Archive Law. Article 1 number (2) of Law 43/2009 about archive defines archive as a recording of activities or events in various forms and media corresponding to information and communication technology development made and accepted by a state institution, local government, education institution, company, political organization, mass organization, and individual in the implementation of society, nation, and state lives. Thus, data of village land affairs administration constituting manual data migration changed digitally into SID is the archive that can be prior evidence of land registration. Through this SID, the accuracy and truth of juridical data of land objects existing in the village can be electronic proof as governed in Information and Communication Technology Law and a foundation to various interests related to land affairs in each of villages.

D. CONCLUSIONS

Electronic data of land affairs administration presented in village web can be prior evidence of land registration because this data presentation derives from manual data changed into digital data without removing its accuracy and truth.

Legitimizing the village land affairs administration management integrated into village web has been consistent with the village's obligation in developing a village information system (SID) as governed in Village Law. Considering the Archive Law, Village Government is a public institution, the government organization of which can be presented in the form of an electronic archive, and this electronic archive/document is recognized as proof as governed in Information and Communication Technology Law.

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