

Legal Analysis of The Compensation Mechanism for Land Acquisition for SUTET Tower Construction by PLN in Cilincing District

Muhammad Fadhil Ardian, Anik Winanti
Faculty of Law , Universitas Pembangunan Nasional Veteran Jakarta,
atikwinanti@upnvj.ac.id

Submit: 18-02-2025; Review: 03-06-2025; Publish: 26-06-2025

Abstract

This study aims to analyze the compensation mechanism in land acquisition for PLN's construction of the 500 kV SUTET tower in Cilincing District, North Jakarta. The research employs a normative legal approach with a case study method, focusing on the application of legal norms and principles in practical implementation. Findings indicate that, from a regulatory perspective, the compensation mechanism is governed by Law No. 2 of 2012 and its derivative regulations, which outline four key stages: planning, preparation, implementation, and final transfer. However, the compensation process for landowners often presents complex legal and social challenges, including land ownership disputes, disagreements over compensation valuation, and the consignment mechanism, which frequently leads to legal claims from affected communities. The study reveals that, despite the systematic regulatory framework for land acquisition, its implementation remains ineffective in fully ensuring justice, transparency, and legal certainty. Disputes over compensation values and limited public participation are key factors contributing to conflicts between PLN and landowners. Therefore, it is essential to optimize deliberation mechanisms, enhance transparency in compensation assessment, and provide legal assistance to affected communities to ensure their rights are fully protected in national strategic land acquisition projects.

Keywords: Land Acquisition; Compensation; Consignment.

Abstrak

Penelitian ini bertujuan untuk menganalisis mekanisme ganti rugi dalam pengadaan tanah untuk pembangunan Tower SUTET 500 Kv oleh PLN di Kecamatan Cilincing Jakarta Utara. Metode Penelitian yang digunakan adalah penelitian hukum normatif dengan pendekatan kasus yang bertujuan untuk mempelajari penerapan norma-norma atau kaidah hukum yang dilakukan dalam praktik hukum. Berdasarkan hasil penelitian menunjukkan bahwa secara normatif, mekanisme ganti rugi telah diatur dalam Undang-Undang No. 2 Tahun 2012 dan peraturan turunannya diselenggarakan melalui 4 tahapan yakni tahap perencanaan, persiapan, pelaksanaan dan penyerahan hasil. Namun, proses ganti rugi kepada pemilik lahan sering kali menimbulkan permasalahan hukum dan sosial yang kompleks, mulai dari sengketa kepemilikan tanah, ketidaksepakatan terhadap nilai kompensasi, hingga penggunaan mekanisme konsinyasi yang berujung pada gugatan hukum dari

masyarakat terdampak. Hasil penelitian menunjukkan bahwa meskipun regulasi pengadaan tanah telah diatur secara sistematis, implementasinya belum sepenuhnya efektif dalam memenuhi prinsip keadilan, transparansi, dan kepastian hukum. Ketidaksepakatan nilai ganti rugi serta minimnya partisipasi masyarakat dalam konsultasi publik menjadi faktor utama yang menyebabkan munculnya konflik antara PLN dan pemilik tanah. Oleh karena itu, diperlukan optimalisasi mekanisme musyawarah, peningkatan transparansi dalam proses penilaian kompensasi, **serta** pendampingan hukum bagi masyarakat terdampak, agar hak-hak mereka dapat terlindungi secara maksimal dalam pengadaan tanah proyek strategis nasional.

Kata Kunci : Pengadaan tanah; Ganti rugi; Konsinyasi.

Introduction

Development activities for public interest such as roads, hospitals, electricity towers, schools, airports, ports, and others require land as their main facility. This is also inseparable from the number of people who need land to meet their living needs which is growing so rapidly, while the land area does not change (remains the same). The increasing population impacts the availability of land because, the need for land will also increase, so that almost all of the land in Indonesia is occupied or owned¹. That the Indonesian nation or the State does not need and does not position itself as a land owner. It is more appropriate if the state as an organization of power for all the people (nation) acts as the Governing Body.²

Land is an immovable object whose area cannot be increased or is limited. The area of land that is only that much is not comparable to the desire of the community to own land, either for public or private interests. In practice, agrarian management and natural resources cannot be controlled because of many interests. For example, the problem of land ownership as mentioned earlier, exploitation of natural resources from land that does not pay attention to the basic rights, including the customary rights of indigenous peoples, environmental sustainability, and

¹ Akh. Munif. 2009. "Pelaksanaan Hak Tanggungan Berdasarkan Undang-undang Nomor 4 Tahun 1996. *Jurnal Yustitia*. Fakultas Hukum Universitas Madura. Volume 9. No. 1. November.

² Tesya Veronika dan Atik Winanti. 2021. "Keberadaan Hak Atas Tanah Ulayat Masyarakat Hukum Adat Ditinjau Dari Konsep Hak Menguasai Oleh Negara". *Jurnal Humani (Hukum dan Masyarakat Madani)*. Vol 11. No. 2. November.

uncontrolled agricultural land projections, is a chaotic land administration. Therefore, laws are needed to regulate it.³

According to Hudson, the demand for infrastructure increases to improve living standards and public services. This is in line with urban development and population growth, which will also increase the demand for infrastructure. Queiroz in a World Bank study shows a close relationship between economic development and infrastructure development, especially roads. Electrical energy infrastructure will also support the sustainability of urban development and answer the community's needs for a better quality of life⁴.

The problem then arises how to take community land to build public facilities⁵. This is indeed related to the most controversial issue regarding land issues. On the one hand, the demand for land development is so urgent, while on the other hand, most of the community also needs the land as a settlement and a place of livelihood⁶. If the land is taken and used for development purposes, then it is clear that we must sacrifice the land rights of the community which should not happen in a country that adheres to the principle of "Rule of Law" If this is allowed then development efforts will be hampered.⁷

Land Acquisition is a necessity to support the realization of public facilities it turns out that the Government itself does not have land for it, the only way is to procure land from land that is claimed or owned by the community either individually or institutionally⁸. The implementation of the land acquisition is

³ Atik Winanti 2023 "Prosedur Hukum Pelepasan Tanah Ulayat Untuk Pembangunan Infrastruktur Pemerintah "Jurnal Kertha Semaya Fakultas Hukum Universitas Pembangunan Nasional Veteran Volume 11 No 7 Juni.

⁴ Retno Sulistyarningsih, "REFORMA AGRARIA DI INDONESIA," *Perspektif* 26, no. 1 (January 30, 2021): 57–64, <https://doi.org/10.30742/perspektif.v26i1.753>.

⁵ Auri. 2014. "Aspek Hukum Pengelolaan Hak Pakai Atas Tanah dalam Rangka Pemanfaatan Lahan Secara Optimal". *Jurnal Ilmu Hukum Legal Opinion*. Edisi I. Volume 2.

⁶ Baihaqi. 2014. "Landasan Yuridis terhadap Aturan Hukum tentang Pengadaan Tanah untuk Kepentingan Umum. *Peuradeun International Multidisciplinary Journal*. Vol. II. No. 02.

⁷ Elita Rahmi. 2010. "Eksistensi Hak Pengelolaan Atas Tanah (HPL) dan Realitas Pembangunan Indonesia. *Jurnal Dinamika Hukum*. Fakultas Hukum Universitas Jambi. Vol. 10. No. 3. September.

⁸ Christiana Tri Budhayati. 2012. "Kriteria Kepentingan Umum dalam Peraturan Pengadaan Tanah untuk kepentingan Pembangunan di Indonesia. *Jurnal Refleksi Hukum*. Edisi April.

carried out by considering the role of land in 5 human lives, and the principle of respecting legitimate rights to land.⁹

The implementation of land acquisition that will be studied in this paper is for the construction of the Extra High Voltage Overhead Line Tower (SUTET), the State Electricity Company Limited (PT. PLN) in Cilincing District, North Jakarta City, DKI Jakarta Province. This land acquisition activity refers to Law Number 2 of 2012 concerning Land Acquisition for Public Interest ratified on January 14, 2012. Execution of the construction of the SUTET Tower of PT. PLN is carried out in the Cilincing District. This activity began in mid-2022. Land Acquisition for the construction of PT. PLN's SUTET tower in Cilincing District is still in the implementation stage.¹⁰

The purpose of the construction and operation of the 500 kV Priok - Muara Tawar SUTET transmission network and the 500 kV Bekasi - Muara Tawar SUTET is to increase the availability and quality of electricity supply in the DKI Jakarta area and its surroundings in particular and Java - Bali in general. Therefore, land acquisition needs to be carried out to support the success of the construction activities of the 500 kV Priok - Muara Tawar SUTET and the 500 kV Bekasi - Muara Tawar SUTET. The implementation of land acquisition is an initial activity that must be carried out before the construction activity of the development is carried out. The purpose of this land acquisition planning document is to refer to Article 2 letter f of Government Regulation Number 19 of 2021 concerning the Implementation of Land Acquisition for Development for K Public Interest, the purpose of land acquisition for public interest is for the construction of power plants, transmission, substations, networks and I or distribution of electric power.¹¹ Specifically, the objectives are: the implementation of land acquisition is expected to meet the availability of land needed for the construction of the 500 kV Priok - Muara Tawar SUTET and the 500 kV Bekasi - Muara Tawar SUTET; the

⁹ Wisnuntoyo. 2007. *Penyediaan Tanah Untuk Pembangunan*. Yogyakarta. p. 147.

¹⁰ Amaliyah Amaliyah et al., "REFORMA AGRARIA DAN PENANGANAN SENGKETA TANAH," *HERMENEUTIKA: Jurnal Ilmu Hukum* 5, no. 1 (February 27, 2021), <https://doi.org/10.33603/hermeneutika.v5i1.4892>.

¹¹ Sulasi Rongiyati. Eksistensi Lembaga Penilai Tanah dalam Pengadaan Tanah untuk Kepentingan Umum. *Jurnal Negara Hukum*. Vol. 3. No. 1. Juni 2012.

construction of the 500 kV Priok - Muara Tawar SUTET and the 500 Bekasi - Muara Tawar SUTET is expected to be on schedule; the Land Acquisition Planning Document (DPPT) has been prepared for land acquisition for the construction of the Priok - Muara Tawar 500 kV SUTET and the Bekasi - Muara Tawar 500 kV SUTET referring to PP Number 19 of 2021 and Regulation of the Minister of ATR/Head of BPN Number 19 of 2021.

The estimated period for the implementation of Land Acquisition is expected to be completed in 195 (one hundred and ninety-five) days. In line with the dynamics that occur in land acquisition, it can be considered that the implementation of the land acquisition period is 3 (three) years according to the maximum time of the Location Determination provisions. The estimated period for the implementation of the construction is planned for 18 (eighteen) months.¹²

The many problems that arise during the construction of the PLN tower are obstacles in the performance of land acquisition. In its implementation in the field, the limited information owned by the parties is quite difficult for the resolution process.¹³ Identifying objects is also a serious problem when an assessment is to be carried out for compensation. The absence of informative maps related to the objects that are the problem can be overcome by cooperation between related parties as data providers.¹⁴

In the map, the parties who need land with the community as land providers can coordinate further regarding the agreement between the two to facilitate the land acquisition process. In addition to the cross-sectoral problems above, the rejection action from residents also arises in terms of disagreement on the compensation price in land acquisition, disagreement on the release of some of the community's land (not as a whole), and the decline in land value are dominant

¹² Mukmin Zakie. 2011. Pengadaan Tanah untuk Kepentingan Umum (Perbandingan antara Malaysia dan Indonesia). *Jurnal Hukum Ius Quia Iustum*. No. Edisi Khusus. Vol. 18. Oktober.

¹³ Hermayulis. 2000. "Aspek-aspek Hukum Hak Pakai Atas Tanah Negara sebagai Obyek Jaminan". *Jurnal Hukum Bisnis, Yayasan Pengembangan Hukum Bisnis*. Jakarta. Volume 10

¹⁴ Pahlefi. 2014. "Analisis Bentuk-bentuk Sengketa Hukum Atas Tanah Menurut Peraturan Perundang-undangan di Bidang Agraria". *Majalah Hukum Forum Akademika*. Volume 25. Nomor 1. Maret.

problems that occur in the construction of this tower.¹⁵ In connection with the various questions taken, researchers are interested in conducting research on matters with land acquisition and mapping them.

Based on the description of the background above, the author can draw the main formulation of the problem to be discussed, namely as follows: how is the compensation mechanism for land acquisition for the construction of 500 kV Sutet tower sites by PLN in Cilincing District ing North Jakarta implemented by applicable laws and regulations, and what are the legal obstacles faced in the implementation of land acquisition compensation for the SUTET project in Cilincing, North Jakarta.¹⁶

Research Method

This research method uses a normative research method. Normative legal research is legal research that focuses on rules or principles in the sense that law is conceptualized as norms or rules that originate from laws and regulations, as well as doctrines from leading legal experts¹⁷. In writing this journal, a case approach is used.¹⁸ This type of approach is usually used for cases that have been decided.

These cases have empirical meaning, but in normative studies, these cases can be studied to obtain an overview of the impact of the normative dimension in a legal rule in legal practice and to use the analysis as input in legal explanations¹⁹. The case to be analyzed in this writing is the case of compensation for the acquisition of land for a 500 kV high-voltage electricity network tower by PLN in Cilincing. The data analys in writing this journal, a descriptive technique is used. In this writing, the data is arranged systematically, classified, connected between one data and another, interpreted to understand the meaning of the data in a social situation

¹⁵ Sulistyarningsih, "REFORMA AGRARIA DI INDONESIA.

¹⁶ Pamungkas Satya Putra, "REFORMA AGRARIA HAMBATAN DAN TANTANGAN DI KABUPATEN KARAWANG" 4 (2019).

¹⁷ Jonaedi Efendi., *Metode Penelitian Hukum Normatif Dan Empiris* (Jakarta: Prenada Media, 2022).

¹⁸ *Ibid.*, hlm. 321.

¹⁹ Djulaeka, *Buku Ajar:Metode Penelitian Hukum* (Madura: Scopindo Media Pustaka, 2020).

and interpreted primary and secondary data from this study. Furthermore, the data is analyzed qualitatively to obtain a clear picture of the legal problems in this writing. After being analyzed qualitatively, the data is then processed and presented descriptively, qualitatively, and systematically.²⁰

Results and Discussion

Land Acquisition Mechanism for Public Interest of 500 kV SUTET Tower by PLN in Cilincing.

Infrastructure Development is an effort or series of growth and change efforts carried out in a planned manner to build infrastructure or anything that is the main support for the implementation of a development process. Based on this understanding and the scope of the Public Interest in Law Number 2 of 2012, infrastructure development is part of the Public Interest.

The construction of the 500 kV SUTET (Extra High Voltage Overhead Line) Tower is part of PT PLN (Persero)'s efforts to improve the electricity system in Indonesia. One of the latest projects is the construction of the 500 kV SUTET transmission inclusive of 157 towers. This project uses an innovative slim compact lattice tower design that is more efficient in land use.

The practice of land compensation to the community for the construction of the SUTET network by PLN under the Ministry of Energy and Mineral Resources (ESDM) issued Ministerial Regulation (Permen) ESDM No. 13 of 2021 concerning Free Space and Minimum Free Distance of Electric Power Transmission Networks and Compensation for Land, Buildings or Plants Located Below the Free Space of the Electric Power Transmission Network.

This regulation was stipulated by the Minister of Energy and Mineral Resources Arifin Tasrif on June 17, 2021, community land affected by transmission will be compensated. The regulation does not regulate details regarding compensation due to land being affected by 500 KV SUTET transmission, thus

²⁰ Jonaedi Efendi., *Metode Penelitian Hukum Normatif Dan Empiris.*

creating injustice and legal certainty. PLN's responsibility for the value of community land passed through by the construction of the SUTET network.

Compensation is provided for those affected by Extra High Voltage Air Ducts (SUTET). PLN refers to the Regulation of the Minister of Mining and Energy Number 01. P/47/MPE/1992 concerning free space for SUTET and SUTET for Electricity Distribution, Article 5 paragraph (3) concerning land where support bases are built, including buildings and plants located on the land, must be cleared and compensation given. "Then the Decree of the Minister of Mining and Energy Number 975 K/47/MPE/1999 was issued as a replacement, whereby previously existing land/buildings under the SUTET free space projection were given compensation.

In addition, land acquisition for the construction of the 500 Kv SUTET Tower does not violate the elements of public interest based on several definitions of Land Acquisition for Public Interest in Presidential Decree No. 55 of 1993, Presidential Regulation No. 36 of 2005, Presidential Regulation No. 65 of 2006, and Law No. 2 of 2012, There are several elements, which as follows:

a) The Interests of All Levels of Society

The 500 KV SUTET tower is to improve Indonesia's electricity system

b) Carried out and Owned by the government

The construction of the 500 KV SUTET Tower is creating infrastructure for commercial needs.

c) Included in the List of Predetermined Activities

Based on the statement of the Head of the Cilincing District Government Section, this land acquisition has been included in the list of activities of the DKI Jakarta Provincial Government and is for completion in 2024.

d) Planning and Implementation by the RTRW and National and Regional Development Plans

Land acquisition for the 500 KV SUTET Tower in Cilincing District is in the 2024 Regional Development Plan. In this discussion, the author found no problems regarding the background of land acquisition in the construction of the 500 KV SUTET Tower, even the public interest element of this infrastructure development

has been fulfilled. However, in land acquisition, some things cause conflicts between the government and the community that has rights to the land to be acquired related to the mechanism.

Related to land acquisition which is an important topic considering the role and function of land for the community which is not only related to the economic conditions of their lives but also the sociological ties they have, the government has specifically regulated land acquisition such as in Law Number 2 of 2012 concerning Land Acquisition for Public Interest where the formation of this Law is intended to ensure the smooth process and mechanism of land acquisition for public interest. Law Number 2 of 2012 has implementing regulations, namely Presidential Regulation Number 71 of 2012, which has been reviewed and refined several times, namely with Presidential Regulation Number 40 of 2014 concerning Amendments to Presidential Regulation Number 71 of 2012, Presidential Regulation Number 99 of 2014 concerning the Second Amendment to Presidential Regulation Number 71 of 2012, Presidential Regulation Number 30 of 2015 concerning the Third Amendment to Presidential Regulation Number 71 of 2012.

Then the last amendment is Presidential Regulation Number 148 of 2015 concerning the Fourth Amendment to Presidential Regulation Number 71 of 2012. Then, as an implementation of Article 111 paragraph (2) of Presidential Regulation Number 71 of 2012 as last amended by Presidential Regulation 148 of 2015, Regulation of the Head of the National Land Agency Number 5 of 2012 concerning Technical Instructions for the Implementation of Land Acquisition has also been issued, which was last amended by the Regulation of the Minister of Agrarian and Spatial Planning/Head of National Land Agency Number 22 of 2015. Land acquisition for development in the public interest is carried out in stages as regulated in Law Number 2 of 2012 and its implementing regulations. By Law Number 2 of 2012, Land Acquisition for Public Interest is carried out through the following stages 1) Planning; 2) Preparation; 3) Implementation; and 4) Results.

In the case of land acquisition for the construction of a 500 Kv SUTET Tower in Cilincing District, there are several things that have the potential to cause conflict between the government and the community who have rights to the land to

be acquired. It is the mechanism of land acquisition in the 500 Kv SUTET Tower project.

1) Planning

Planning for Land Acquisition for Public Interest In this case the construction of infrastructure in the Cilincing sub-district area has been in the Decree of the Governor of the Special Capital Region of Jakarta Number 777 of 2022 concerning the Determination of Locations for the Construction of 500 Kv Extra High Voltage Overhead Lines (SUTET) in the Administrative City of North Jakarta which includes 3 sub-districts, namely Tanjung Priok sub-district, Koja sub-district and Cilincing sub-district. The locus that the author took was in the Cilincing sub-district with the following location distribution:

- a) Semper Barat Village covers an area of $\pm 1,476 \text{ m}^2$ (approximately one thousand four hundred and seventy-six square meters)
- b) Semper Timur Village covering an area of $\pm 1,362 \text{ m}^2$ (approximately one thousand three hundred and sixty-two square meters)
- c) Cilincing Village covering an area of $\pm 770 \text{ m}^2$ (approximately seven hundred and seventy square meters)
- d) Marunda Village covering an area of $\pm 3,446 \text{ m}^2$ (approximately three thousand four hundred and forty-six square meters)
- e) Rorotan Village covers an area of $\pm 2,630 \text{ m}^2$ (approximately two thousand six hundred and thirty square meters).

The DKI Jakarta Provincial Government announced the results of the inventory and identification of land for the planned construction of the SUTET in the Marunda sub-district area by PT PLN on October 14, 2021.

In addition to the DKI Jakarta Provincial Government, PT PLN as the agency that will build the 500 Kv SUTET also makes a planning document which contains: a) Intent and purpose of the development plan; b) Compliance with the Regional Spatial Plan and the National and Regional Development Plan; c) Land location; d) Land area required; e) General description of land status; f) Estimated time for Land Acquisition; g) Estimate period for construction; h) Estimated land value; and i) Budget plan

2) Preparation

After carrying out the land acquisition planning, the next stage is preparation. In the preparation stage, PT. PLN together with the DKI Jakarta provincial government carried out several things, namely:

a) Notification of development plans:

- In the Development Plan Notification Document Number 378/-1.711.11 dated March 21, 2022.

- Letter of notification of soil investigation work dated January 24, 2022,

b) Initial data collection of planned development land

Implementation of initial data collection of the planned location for the high-voltage transmission line at the Cilincing sub-district office from April 19 to 21, 2022.

c) Kon Public consultation on development plans.

After the Government made an initial notification and data collection of land to be acquired, the DKI Jakarta Provincial Government and PT PLN held a coordination meeting and socialization of the construction of SUTET on January 27, 2022, at the Cilincing sub-district office

3) Implementation

In the discharge of land acquisition for the construction of the 500 Kv SUTET Tower by PT. PLN has submitted the implementation of Land Acquisition to the Land Agency. The implementation of Land Acquisition includes:

a) Inventory and identification of control, ownership, use, and utilization of land.

(i) The first thing done by PT. PLN as the executor in land acquisition is to collect data on the Entitled Party and Land Acquisition Object. Data on the entitled party includes the name, address and occupation of the party that controls/owns the land. Land Acquisition Objects include the location, area, status, and type of use and utilization of the land.

(ii) Notification of Implementation of Construction Work for 500 Kv Sutet PRIOK-MUARA TAWAR T-49 on June 22, 2022

(iii) Invitation. Survey Review of Bartas Field Land Owned by the DKI Provincial Government at the Planned Construction Location of T.53 Sutet on August 22, 2022

(iv) Request for Facilities for Mediation Activities for Land Ownership Claims at Tower Lapak T-38 Sutet 500KV Tower Tower-Bekasi on August 25, 2022

(v) Invitation to submit compensation value for construction of Sutet on December 17-18, 2024 in Marunda Village

b) Assessment of compensation

After data collection on land objects and parties to be used, PT. PLN collaborates with the Land Agency in the Province and in the administrative city of North Jakarta. This is done so that the Land Agency can assess compensation by existing laws and regulations. In Article 33 of Law Number 2 of 2012 concerning Land Acquisition for Development for public interest such as: 1) Land; 2) Space above ground and underground; 3) Buildings; 4) Plants; 5) Objects related to land; and/or 6) Other losses that can be assessed.

Other losses that can be assessed mean non-physical losses that can be equated with monetary value, for example, losses due to loss of business or work, costs of moving place, costs of changing professions and the value of the remaining property. The Compensation Value assessed by the appraiser is the value at the time of the announcement of the determination of the location of development for the Public Interest. PT PLN and the DKI Jakarta Provincial Government have found common ground regarding the provision of compensation with land owners through consignment on December 17 and 18, 2024 so far there have been no complaints regarding the compensation value that has been determined.

4) Submission of results. To date, compensation payments have not been made, but recipient data and values exist.

Compensation is the most complex central issue to handle in land acquisition efforts by the Government by utilizing land rights. In every land acquisition for development, there is almost always a sense of dissatisfaction, besides helplessness, among the community whose land rights are affected by the project. However, this did not happen in the land acquisition project of the 500 KV SUTET Tower in the Cilincing District. The compensation value that was determined has been received by the landowner. The land acquisition process and

determination of the compensation value usually involves deliberation between the land owner and the assessment team.

a) Stages of inventory and identification of control, ownership, use and utilization of land.

The initial stage carried out in providing compensation by the Land Acquisition Implementation Team for the construction of the 500 Kv SUTET Tower is to conduct an inventory and identification of the amount of land needed for the construction of the Tower. In this process, the implementation team found that for the Cilincing sub-district, around 9,684 m² was needed, which was covered by 5 (five) sub-districts in the Cilincing sub-district. In this stage, there was a problem related to land ownership at the Tower 38 site between Mr. Marijaya and PT Bulog.

b) Compensation assessment

After the community saw the announcement that their land would be part of the land acquisition project for the construction of the 500 KV SUTET Tower, the implementation team then conducted a study to determine the amount of compensation that would be given to each person whose land rights were transferred to the government. In the statement of the employee in the Cilincing sub-district, the Compensation Assessment carried out was by the provisions of Article 33 of Law Number 2 of 2012, such as land; aboveground and underground space; buildings; plants; objects related to land; and/or other losses that can be assessed.

Based on information from employees in the Cilincing sub-district and sub-district, the case of land acquisition for the construction of the SUTET Tower 500 KV related to land ownership at the Tower 38 site, Marunda sub-district has facilitated the Mediation activity of land ownership claims at the Tower T 38 site, SUTET 500 KV Muara Tawar - Bekasi on September 9, 2022. Meanwhile, the role of BPN regarding land ownership issues is as a mediator who helps the parties find solutions without forcing a settlement and holding a coordination meeting regarding the land area affected by the SUTET construction land acquisition route on June 26, 2024, at the BPN office in North Jakarta.

In December 2024, PLN completed the consignment process for two tower site lands, namely Tower 13 (129 m²) and Tower 38 (225 m²), which are located in Cilincing District, North Jakarta. The legal basis for consignment or the provision of compensation by being deposited in the local district court is regulated in Law No. 2 of 2012, concerning Land Acquisition for Development in the Public Interest. Senior Manager of Licensing, Land, and Communication of PLN UIP JBB, admitted that in the land acquisition process, they always try to build two-way communication with the landowners so that the acquisition process can run smoothly and get support from the community. However, if obstacles are found such as unknown land ownership or unresolved disputes, consignment is the last solution by the regulations.

c) Provision of Compensation

Before compensation, consignment has to prevent conflicts related to the amount of compensation. Statement from one of the employees in the Cilincing District, Land Acquisition for the construction of the SUTET tower by PLN in the Cilincing has gone through the following process stages: planning, preparation, implementation; and results.

Regarding Land Acquisition for Development in the Public Interest. The manager of Licensing, Land, and Communication of PLN UIPJBB, admitted that in the land acquisition process, they always try to build two-way communication with the landowner community so that the acquisition process can run smoothly and get support from the community. Yet, if obstacles are found in land ownership or unresolved disputes, consignment is the last solution to regulations.

Before compensation is given, consignment has been carried out to prevent conflicts related to the amount of compensation. In land acquisition for the construction of the 500 Kv SUTET Tower in Cilincing District, there are potential problems that can hinder the construction of the 500 Kv SUTET, including unknown land ownership, land ownership disputes, unfair compensation, delays in the land acquisition process and environmental impacts caused by the construction of the 500 Kv SUTET. The problems can be resolved

through Socialization and two-way communication, land consignment, Supervision and evaluation and dispute resolution.

The role of BPN in the procurement of land for the construction of the 500 kV SUTET Tower by PLN in Cilincing includes Land Measurement and Maps: BPN is responsible for measuring and making maps of land areas needed for construction, conducting Identification and Inventory of legal and physical data related to the land to be used, Land Assessment to determine a fair compensation value for land owners, holding discussions with land owners and related parties to reach an agreement on compensation and the land acquisition process. After consensus, BPN announces the procurement and prepares documents for the next process. BPN also acts as a mediator who helps the parties find solutions without forcing a settlement.

The potential problems during the land acquisition process for the 500 KV SUTET Tower in the Cilincing sub-district include: (a) unknown land ownership. Sometimes, the land owner is not known for sure, which causes difficulties in the procurement process, (b) land ownership disputes, there is a disputes possibility of between different land owners, which can slow down the procurement process, (c) unfair compensation, land owners may feel that the compensation given does not reflect the true value of their land, (d) Delays in the procurement process, the land acquisition process can take longer than expected, which can hinder project development, (d) environmental impacts, the procurement and development process can hurt the surrounding environment, such as damage to local ecosystems.

Efforts to resolve the procurement of land for the construction of the 500 kV SUTET Tower by PLN in Cilincing include: (a) Socialization and Two-Way Communication. PLN conducts socialization and two-way communication with the landowner community to explain the development plan and its benefits. This aims to gain support and understanding from the community; (b) Land Consignment, PLN uses a consignment mechanism or compensation provision as regulated in Law No. 2 of 2012. This process involves the local district court to determine a fair compensation value; (c) Supervision and Evaluation, after

procurement and payment of compensation, PLN conducts supervision and evaluation to ensure that all steps have been carried out correctly and fairly; (d) Dispute Resolution, if there is a land ownership dispute, PLN works with related parties to resolve the dispute before continuing the procurement process.

Conclusion

The compensation mechanism for land acquisition for the 500 kV SUTET tower site by PLN in Cilincing District has the applicable laws and regulations, especially Law No. 2 of 2012 concerning Land Acquisition for Development in the Public Interest and ESDM Regulation No. 13 of 2021. The process includes planning, preparation, implementation, and submission of results. However, in its implementation, there are still challenges in ensuring transparency and justice for affected communities. The last stage in the land acquisition process is compensation not being paid to date, but recipient data and values already exist.

Legal obstacles in acquisition compensation implementation in the Cilincing include land ownership disputes, disagreements over compensation values, and the use of consignment mechanisms. Many residents feel that the compensation value does not match the economic and their land's historical value. So, the consignment mechanism is often used as a quick solution without optimal deliberation, thus giving rise to dissatisfaction and potential lawsuits.

References

- Djulaeka, *Buku Ajar: Metode Penelitian Hukum*. Madura: Scopindo Media Pustaka, 2020.
- Jonaedi Efendi, *Metode Penelitian Hukum Normatif Dan Empiris*. Jakarta: Prenada Media, 2022.
- Joyo Winoto, *Reforma Agraria: Suatu Pengantar Dalam Buku Reforma Agraria Mandat Politik, Konstitusi, Dan Hukum Dalam Rangka Mewujudkan Tanah Untuk Keadilan dan Kesejahteraan Rakyat.*, Badan Pertanahan Nasional Republik Indonesia, 2007.

Zaman, N. *Politik Hukum Pengadaan Tanah: Antara Kepentingan Umum dan Perlindungan Hak Asasi Manusia*. Bandung: PT. Refika Aditama, 2016.

Journal

Akh. Munif. 2009. "Pelaksanaan Hak Tanggungan Berdasarkan Undang-undang Nomor 4 Tahun 1996. *Jurnal Yustitia*. Fakultas Hukum Universitas Madura. Volume 9. No. 1. Nopember.

Romario Simanulang, Kornelius Ayub; WINANTI, Atik. PROSEDUR HUKUM PELEPASAN TANAH ULAYAT UNTUK PEMBANGUNAN INFRASTRUKTUR PEMERINTAH. **Kertha Semaya : Journal Ilmu Hukum**, [S.l.], v. 11, n. 7, p. 1705-1717, june 2023

Ahmad Raji Hidayat, "MEKANISME PELAKSANAAN DAN PENETAPAN GANTI RUGI DALAM PENGADAAN TANAH UNTUK KEPENTINGAN UMUM" **Kertha Semaya : Journal Ilmu Hukum** Vol.10 No.3 Tahun 2022, hlm. 656- 672