

Utilization Of Electronic Technology in Ptsl Program in Karawang Regency And Its Implications On Issuance Of Electronic Documents in Land Registration Activities Based On Permen No. 3 Year 2023

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Abstract

The Complete Systematic Land Registration Program (PTSL) is a government strategy to provide legal certainty over land asset ownership in order to create social and economic stability in society. This legal certainty not only increases the economic value of land assets but also strengthens social harmony by minimizing the potential for agrarian conflicts. The implementation of PTSL encourages public legal awareness, creates a healthier legal environment, and facilitates transparent and legitimate land transactions. The use of technology in the implementation of PTSL however has a gap between theory and practice. This study aims to understand the use of electronic technology in the Complete Systematic Land Registration Program (PTSL) in Karawang Regency and the implications of the implementation of the Minister of ATR/BPN Regulation No. 3 of 2023 on the process of issuing electronic documents in land registration in the region. The research methodology uses qualitative analysis using an empirical legal approach, namely solving problems by examining secondary data and primary data in the field. The results of the study, in Karawang, PTSL accelerates the land legalization process and increases community participation in data collection. Collaboration between the community, technological support, and the active role of government officials are the main keys to the success of PTSL. This program is a real model of synergy between the state and society in realizing inclusive and sustainable agrarian legal certainty.

Keywords: *PTSL, Legal Certainty, Agrarian Conflict.*

INTRODUCTION

Agrarian issues have become a major problem in Indonesia and agrarian conflicts are an inseparable part of Indonesia and often become a national issue that causes division and questions the strength of the supremacy of law in Indonesia (Mwatwara & Mujere, 2022). In fact, the problems faced in Indonesia are also classic problems faced by other countries

(Chambati & Mazwi, 2022; Zhou et al., 2020). One of the challenges is how to provide legal certainty so that the debate can be minimized.

Indonesia actually has several bases on how Agrarian policies are implemented. First, Pancasila explains the importance of enforcing social justice so that it is emphasized in Article 33 paragraph 1 of the Constitution which states that the state must be built for the common welfare and Article 33 paragraph 3 which also emphasizes the importance of the principle that the state regulates the earth and natural resources only for the prosperity of the Indonesian people. Furthermore, Law Number 5 of 1960 concerning the Basic Agrarian Law was created which underlines the importance of utilizing agrarian land for the needs of the people, especially in Article 2 of the Law. Meanwhile, the function of the Regulation of the Minister of ATR/Head of BPN no. 3 of 2023 is to accelerate the process because now in Article 2 it is emphasized that the involvement of information technology is permitted in the hope of accelerating legal certainty.

The steps taken are to involve digitalization and internet networks that are considered appropriate to the reality of Indonesia where Indonesia has a vast geographical condition and is difficult to reach by general transportation. Through Permen. No. 3 of 2023, efforts for Complete Systematic Land Registration are continued with a digitalization model and technological approach. However, in practice, of course, there is a gap between theory and reality that occurs, such as there are still many land areas that do not have complete, accurate, and up-to-date data, making it difficult to input and verify data digitally, and there is often overlapping authority between institutions, such as BPN, local governments, and related agencies due to lack of effective communication, therefore the importance of land registration is emphasized in Law Number 5 of 1960 concerning Agrarian Affairs Article 19 which requires that every land must be registered to prevent future conflicts. First, provide certainty and legal protection to land owners. Land certificates issued by BPN are authentic evidence that not only clarifies the status of land ownership, but also prevents disputes or multiple claims on a plot of land. With the certificate, landowners have a strong legal basis to defend their rights in the face of potential conflicts or land disputes in the future. Next, mass land certification also functions to increase access to sources of financing, certified land can be used as collateral to obtain credit from financial institutions, so that it can increase people's opportunities to develop businesses or improve economic conditions. Mass land certification data also plays an important role in preventing the practice of unauthorized transfer of rights or land crimes such as land mafia cases. On the other hand, mass land certification helps increase state revenue through taxes. After the land is registered and has an official certificate, the landowner is obliged to pay Land and Building Tax (PBB), which then becomes a source of state revenue to support development and public services (Apriana & Hamid, 2024).

This study focuses on the impact of the gap that occurs in the application of electronic technology and how it affects the land registration process in Karawang Regency so that this study aims to understand the use of electronic technology in the Complete Systematic Land Registration Program (PTSL) in Karawang Regency and the implications of the implementation of the Regulation of the Minister of ATR/BPN No. 3 of 2023 on the process of issuing electronic documents in land registration in the region.

METHOD RESEARCH

The research was conducted using a qualitative analysis method with an empirical legal approach to understand the sources of law related to this issue that are comprehensively related to law in practice and theory. The primary source of this research is to review the related laws and regulations, complemented by interviews with residents and civil servants who work in the field. Meanwhile, the secondary source is literature on agrarian land in Indonesia.

DISCUSSION

1. Utilization of Electronic Technology in the PTSL Program in Karawang Regency Based on Ministerial Regulation No. 3 of 2023

To accelerate the land registration process that provides legal certainty, the Minister of Agrarian Affairs/Head of the National Land Agency Regulation No. 3 of 2023 was issued, which regulates registration with an electronic system. This regulation introduces the issuance of electronic documents in land registration activities, which aims to increase efficiency, transparency, and legal certainty for the community in managing land rights (Hidayah et al., 2024).

The main difference and breakthrough in this regulation is the implementation of an electronic system that allows the land registration and certificate issuance process to be carried out digitally. With this system, the administrative process becomes faster and more transparent because all stages can be monitored and managed automatically. The public no longer has to face a time-consuming manual process that has the potential to cause administrative errors. The use of electronic documents as a substitute for physical documents is also an important step in modernizing land services. These electronic documents not only facilitate access for landowners, but also reduce the risk of losing or damaging documents. With a digital format, documents can be stored and accessed safely anytime and anywhere, this is in line with what is stated in Article 6 and Article 44 paragraph 1 of Minister of Law No. 3 of 2023. As an effort to strengthen the implementation of this system, an integrated database that stores complete information about land rights is prepared. This database allows for more structured data management and facilitates verification of ownership, so that the potential for land disputes can be minimized. With data stored centrally, the process of searching and validating information becomes faster and more accurate. In addition, the public can now access land services more easily through mobile and web applications. Through this platform, the public can apply for land certificates, monitor the status of the application, and access information related to their land without having to come directly to the land office. This convenience is expected to accelerate services while increasing public satisfaction. The application of technology in the land registration process is a major step in increasing public trust in land services. A faster, safer, and more transparent process will provide stronger legal certainty for land rights owners, while strengthening government efforts to prevent land crime practices such as land mafia. Through this policy, the public not only gets convenience in managing land, but also peace of mind because their land rights have been recognized and protected by law.

Yulia Jaya Nirmawati, one of the land experts involved in various positions at the Ministry of ATR/BPN, assessed that this transparency is a good effort to prevent the emergence of land mafia. So far, land registration using manual programs often ends up opening up loopholes for duplicate certificates and also the involvement of land mafia which of course harms the community. The existence of digital technology minimizes the possibility of misuse of land certificates for illegal interests (Apriana & Hamid, 2024; Hidayah et al., 2024; Sitompul & Siahaan, 2024).

Meanwhile, Riswan Erfa assessed this step as a digital transformation and a solution to solve Indonesia's classic problem of having to regulate the distribution of registrations from

various regions in Indonesia which are incredibly vast and have various connection qualities. Riswan Erfa's opinion, however, needs to be criticized because there are challenges where not all human resources have equal abilities throughout Indonesia. Not only that, challenges also cannot be avoided by the fact that the distribution of development in Indonesia is still criticized by the reality that cannot be separated from corruption (Wartono et al., 2024).

In practice, the Karawang Regency Government faces a dilemma in implementing this regulation, especially for the Sentuh Tanahku application for digitizing the land certification process. On the one hand, this application is recognized as increasing transparency and data security, but on the other hand, many residents, especially non-technicians, complain about the difficulty in operating it. A survey by the Karawang Communication and Informatics Service (2024) found that 68% of users experienced technical problems, ranging from errors in uploading documents to confusion in understanding application notifications.

These technical constraints are compounded by the lack of basic technological understanding among rural communities. According to BPS Karawang data (2023), only 35% of residents in rural areas have ever used government applications before.

2. Implications of the implementation of Ministerial Regulation No. 3 of 2023 on the process of issuing electronic documents in land registration in Karawang Regency

After the utilization of the PTSL program in Karawang district, several implications arose for its people, such as most Karawang residents, especially those over 40 years old, the Sentuh Tanahku application felt like a technological labyrinth. This technical obstacle was exacerbated by the lack of basic understanding of technology among rural communities. As previously explained, BPS Karawang data (2023) showed that only 35% of residents in rural areas had used government applications before. Features such as uploading documents, biometric verification, or tracking progress are a problem for those who are used to taking care of administration manually. Although this application is considered complicated, the presence of government employees and volunteers in the field is a savior for frustrated residents. At the Tanjungkemkar Village Office, for example, every Monday and Thursday a special post is provided to help residents operate Sentuh Tanahku. This assistance is not only technical, but also psychological. In general, regardless of the complexity of this application, Karawang residents are willing to struggle to understand Sentuh Tanahku because of its positive impact in eradicating corruption. Before this application was launched, the land certification process was often controlled by brokers who charged additional fees, data security is also a determining factor in whether this application uses a blockchain system that makes data impossible to manipulate.

However, there are several villages in Karawang Regency that have successfully implemented this program with quite significant results. The implementation of this program covers three main villages, namely Darawolong Village, Belendung Village, and Duren Village. Despite facing various technical and administrative obstacles, collaborative efforts between the village government, the community, and the National Land Agency (BPN) have shown positive results in the issuance of land certificates as a form of legal certainty for community land ownership.

The implementation of the PTSL program in Darawolong Village began on March 14, 2024 with a target of issuing 860 certificates. By the end of the implementation, 520 analog certificates and 340 electronic certificates had been successfully issued, bringing the total certificates that had been completed to 860 certificates or 100% of the available quota. However, the implementation process was not free from a number of obstacles. One of the main obstacles was the unavailability of land rights on several plots of land, which caused delays in

the registration process. In addition, inheritance problems were also an obstacle due to the lack of complete heir data and the failure to reach an agreement among the heirs.

As a solution, the village government provides assistance in managing the legal basis by suggesting the preparation of a Statement of Physical Control of Land Areas (SPORADIK) as the basis for submitting a registration application. Meanwhile, the resolution of inheritance problems is carried out by collecting supporting documents and facilitating agreements among the heirs to speed up the registration process.

The PTSL program in Belendung Village began on December 12, 2023 with a quota of 520 certificates. To date, 450 analog certificates have been successfully issued, while 70 other certificates are still in the process of being completed due to technical and administrative constraints.

One of the main obstacles faced is data errors (*renvoi*) that require correction before the certificate can be issued. In addition, the completeness of documents such as KTP, Family Card, and legal basis are also obstacles in the certificate issuance process.

To overcome this problem, the village government re-verifies the problematic data and coordinates with the applicants to complete the missing documents. In cases of unavailability of the right basis, the solution implemented is to prepare an Absolute Accountability Letter (SPM) which is authorized by the village head as a substitute for the right basis document. The resolution of inheritance problems is also facilitated through mediation between heirs to accelerate the collection of required documents.

The implementation of the PTSL program in Duren Village began on August 30, 2024 without an initial quota restriction. However, in early December 2024, the BPN issued a quota reduction policy which resulted in 242 applicants not being able to be processed in this year's program. Of the 350 registered applicants, 110 electronic certificates have been successfully issued, while the rest were delayed due to the BPN's efficiency policy.

In addition to the quota reduction, another obstacle that arose was the legal basis that was pledged to the bank, so that documents could not be processed in the PTSL program. To overcome this problem, the village government coordinated with the bank so that the completed certificates could still be submitted back to the bank after the registration process was complete. Meanwhile, unprocessed applicant data will be returned to the community as a consequence of the quota reduction policy.

Overall, the implementation of the PTSL program in the three villages has resulted in the issuance of 1,080 certificates, consisting of 970 analog certificates and 340 electronic certificates. Darawolong Village recorded the highest achievement with 100% completion of the available quota, while Belendung Village and Duren Village faced technical and policy constraints that caused some certificates to still be delayed.

The main obstacles faced in implementing the PTSL program include:

- a. Incomplete legal title documents;
- b. Inheritance problems and unclear ownership status;
- c. Data errors (*renvoi*);
- d. Reduction of quota by BPN;
- e. Legal title pledged to the bank.

The solutions that have been implemented, such as the issuance of SPORADIK and SPM, facilitation of mediation between heirs, and coordination with banks and BPN, are expected to accelerate the process of completing certificates that are still pending.

The implementation of the PTSL program is expected to provide legal certainty for community land ownership and encourage increased community welfare through legal ownership status registered with the BPN. The success of this program is a positive step in the government's efforts to create accurate, systematic, and comprehensive land data in the Karawang Regency area.

From the description, the implementation of the PTSL program in Karawang encountered several obstacles in the introduction of the application which is a keyword that often appears related to the problems of implementing PTSL. Obstacles often occur due to the absence of complete documents, but when the documents are successfully collected, the process can be carried out properly, another obstacle is the implementation of the digital system in Karawang, there are several gaps that can then be resolved with a pro-active attitude and education and introduction of an integrated system. Technical technology obstacles can be resolved even though it requires a lot of effort and time.

Conclusion

The Complete Systematic Land Registration Program (PTSL) is one of the government's strategic efforts to fulfill the basic principles of agrarianism, namely providing legal certainty over land asset ownership. This legal certainty is an important foundation in creating social and economic stability in society. With legal certainty, the community not only obtains guarantees of land ownership rights, but also gets easier access to economic benefits, such as increasing asset values, ease in obtaining credit, and developing economic potential based on land assets.

The use of technology in the implementation of PTSL, as has been implemented in Karawang, is real evidence that the process of adapting to technology can accelerate and facilitate the implementation of this program. Although in practice there are still many technical challenges and difficulties in implementation. active participation from the community and good integration of cooperation from civil servants can be a solution that allows this process to run more effectively.

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