

JURIDICAL ANALYSIS OF CONTROL AND OWNERSHIP OF DELTABER IN TEGAL REGENCY

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ABSTRACT

Deltaber at the shoreline or riverbank is appealing to residents to own and master it. Deltaber naturally or through man-made processes has economic value, so the presence of deltaber needs to be regulated by the competent authority. The stakeholders regarding this land are the National Land Agency and the Tegal Regency Government. The approach method used was the juridical empirical approach method, and the research specification was descriptive analytical. The sampling method used purposive sampling, and the data sources were primary and secondary data. The data collection techniques were conducted through interview, literature study, and qualitative data analysis. The results obtained indicate that; 1) The arrangement of deltaber in Tegal Regency is in accordance with Law Number 5 of 1960, in which the community uses customary law with the principles of decency and justice with the residents who control the initial (truka). The poor people who do not have land are the priority to control and own Deltaber, 2) the measure taken by the residents to obtain the rights to deltaber is that the residents must submit an application to the village head, and then the village head issues a cultivated land title. The village verifies the land, and then the right application is submitted to the National Land Agency, 3) the constraints to the control and ownership rights of deltaber are that the majority of residents expect to own new land, and there is low awareness of the citizens regarding the management of deltaber rights. The residents think that the process of managing deltaber rights is complicated and costly, and the efforts to resolve disputes over deltaber are through discussion.

Keywords: Deltaber, regulation, land ownership rights.

A. INTRODUCTION

Land has an important meaning in human life. Land is needed by humans to reproduce, carry out activities and even when they die, humans remain in contact with the land according to its natural laws as a creation of God Almighty.

The positive law in Indonesia which regulates land issues is Law Number 5 of 1960 concerning Basic Agrarian Principles (hereinafter referred to as the Basic Agrarian Law (UUPA). The UUPA is a manifestation of Article 33 paragraph (3) of the 1945 Constitution which states that that: "the earth is water and the riches contained therein controlled by the state and used for the prosperity of the people." this has been explained to the Indonesian people that land on the face of the earth Indonesia is a land that mastery is done by the state.

Under Article 2 paragraph (2) UUPA, the State as an organization of power for all the people at the highest level controls the land. The authority of the right to control the state over the land, namely:

1. Regulating and administering the allocation, use, supply and maintenance of earth, water and space.
2. Determining and regulating relations -hubungan law among people with the earth, water and space.
3. Defining and regulating legal relations between people and actions concerning the earth, water and space.¹

B. RESULTS OF RESEARCH AND DISCUSSION

1. Arrangement of Deltaber in Tegal Regency

a. Legal basis of

1. Law Number 26 of 2007 concerning Spatial Planning:
Article 7

Paragraph (1) states:

"The State organizes spatial planning for the greatest prosperity of the people"

Paragraph (2) states:

"In carrying out the tasks referred to in paragraph (1), the state shall give regional governments the authority to organize spatial planning.

2. Government Regulation of the Republic of Indonesia Number 16 of 2004 concerning Land Use.

Article 12 states:

"Land originating from deltaber or the result of reclamation in coastal waters, tides, swamps, lakes, and former rivers is directly controlled by the State".

¹ Boedi Harsono, 2008, *Hukum Agraria Indonesia : Himpuan Peraturan-Peraturan Hukum Tanah (Indonesian Agrarian Law: Compilation of Land Law Regulations)*, Djambatan, Jakarta, p. 29.

Article 15:

“The use and utilization of land on small islands and land parcels located on coastal boundaries, lake borders, reservoir boundaries, and / or river boundaries must take into account:

- a. public interests;
- b. limited carrying capacity, sustainable development, linkages, ecosystems, biodiversity and environmental sustainability.

3. Republic of Indonesia Government Regulation Number 24 of 1997 concerning Land Registration.
Article 26

Article 3, states:

"Land registration aims to:

- a. to provide legal certainty and legal protection to holders of rights over a plot of land, apartment units and other registered rights so that they can easily prove themselves as holders of the rights concerned,
- b. to provide information to interested parties, including the Government, so that they can easily obtain the required data in conducting legal actions regarding registered land parcels and apartment units;
- c. for the implementation of an orderly land administration.

Paragraph (1) states:

“Basically what is announced is the physical and juridical data that will be used as the basis for registering the land parcels concerned.

To facilitate its implementation, in a systematic land registration, announcements do not have to be made all at once regarding all land parcels within the designated area but can be carried out in stages.

Announcement of systematic land registration for 30 days and an announcement of sporadic land registration for 60 days is distinguished because systematic land registration is a mass land registration known to the general public so that security is shorter, while sporadic land registration announcements are individual with limited scope”

4. Letter of the State Minister for Agrarian Affairs / Head of the National Land Agency Number 410-1293 of 1996 concerning Control of the Status of Deltaber and Reclaimed Land.

In point 3, states:

“Lands arising naturally such as deltas, coastal lands, lakeside / situ, edge sediments, arising islands and other naturally occurring lands are stated as lands directly controlled by the State. Furthermore, the control / ownership and use of it shall be regulated by the State Minister for Agrarian Affairs / Head of the National Land Agency in accordance with the applicable laws and regulations. ”

In point 4, states:

"In connection with the above matters, the Head of the Regional Office of the Provincial National Land Agency should immediately carry out an inventory of arising and lost lands that occur naturally. For lost land, if there is already a certificate, it should be adjusted. For land that will be reclaimed beforehand, it must be given a land border so that you can know the area of land that will be reclaimed later. "

In point 5, states:

"Furthermore, the applicants for the rights to the deltaber can be processed immediately through the procedure in accordance with the applicable laws and regulations".

5. Tegal Regency Regional Regulation Number 10 of 2012 concerning Spatial Planning for Tegal Regency 2012-2032

Article 24

Paragraph (1) states:

“The local protected areas as referred to in Article 21 letter c include:

- a. river border areas;
- b. coastal border area;
- c. areas around springs;
- d. the area around the reservoir; and
- e. urban green open space.

Paragraph (2) states:

“The river border area as referred to in paragraph (1) letter a, with an area of approximately 5,206 (five thousand two hundred and six) hectares, is scattered throughout the Sub-Districts in the Regency.

Paragraph (3) states:

"The coastal border area as referred to in paragraph (1) letter b with an area of approximately 234 (two hundred and thirty four) hectares includes:

- a. Kramat Sub-District;
- b. Suradadi Sub-District; and
- c. Warureja Sub-District.

Article 59

Paragraph (5) states:

"The general provisions of the zoning regulations for river border protection areas as referred to in paragraph (4) letter a are prepared with the following provisions: it is

- a. not allowed to undertake activities at least 3 (three) meters from the left-right edge of the embankment on the embanked rivers in urban areas; are
- b. not allowed to undertake activities at least 5 (five) meters from the left and right banks of embankments on embanked rivers outside urban areas; are
- c. not allowed to undertake activities at least 10 (ten) meters from the left-right banks of the river no embankment with a depth of less than 3 (three) meters in urban areas; it is
- d. not allowed to undertake activities of at least 15 (fifteen) meters from the left and right banks of an unbanked river with a depth of 3 (three) to 20 (twenty) meters in urban areas;
- e. not allowed to undertake activities at least 30 (thirty) meters from the left and right banks of landless rivers ggul with a depth of more than 20 (twenty) meters in urban areas;
- f. not allowed to undertake activities at least 100 (one hundred) meters from the left and right banks of large rivers without embankments and 50 (fifty) meters from the left and right banks of small rivers without embankments outside the urban area. Included in this area are all tributaries of Rambut River, Brungut River, Jimat River, Cenang River, Cacaban River, Pah River, Gung River, Gung Lama River, Wadas River, Gangsa River and Pemali River;

Paragraph (6) states:

"The general provisions of the zoning regulations for coastal border protection areas as referred to in paragraph (4) letter b are prepared with the following provisions:

- a. prohibiting the transfer of function which causes damage to the quality of the beach with a beach border 100 meters from the highest tide;
 - b. activities are allowed to plant and increase mangrove areas in areas with potential;
 - c. not allowed to carry out activities that damage the protection function of the coastal border protection area.
- b. General Description of Deltaber in Tegal Regency consists of 3 (three) categories:
- 1) Coastal area, covering an area of 24,547.52 hectares covering Kramat, Suradadi and Warureja Sub-Districts;
 - 2) The lowland area, covering an area of 35,847.22 hectares, includes the Sub-Districts of Adiwerna, Dukuhhuri, Talang, Tarub, Pagerbarang, Dukuhwaru, Slawi, Lebaksiu, Kedungbanteng and Pangkah;
 - 3) The highland / mountainous area, covering an area of 20,383.84 hectares and an area of 7,099.97 hectares, covers the Sub-Districts of Jatinegara, Bumi Jawa, and Bojong.

Kramat sub-district

a) Bongkok Village

The land ownership data of the deltaber in Bongkok Village of 14.5 hectares was owned by 84 people with the proofs of ownership certificates since 1985.

b) Munjungagung Village

Deltaber is a land with the rights that can be filed with the application process as follows:²

- 1) Residents of the village of the shows the location of the cultivated land.
- 2) Not having cultivated land or not having more than one location of cultivated land.
- 3) Must be local residents, except government agencies.
- 4) Cultivators or tractors apply to the Village Government.
- 5) The village head issues a cultivated land title.
- 6) The Village Government verifies the location.
- 7) Application for rights to the local National Land Agency.

c) Kramat Village

The deltaber along the coast of Kramat Village, more than 20 hectares, with details of deltaber ownership as follows:³

- 1) Owned by the general public, covering an area of approximately 8 hectares,
- 2) controlled by a resident named Ghincang, covering an area of 2 hectares, and
- 3) Cultivation Transfer, from the residents to PT. Bumi Indo covering an area of approximately 10 hectares.

d) Maribaya Village

Community control of the deltaber is located on the banks of the Cacaban river which borders Sidaharja Village, Suradadi Sub-District. The land area in Maribaya Village, Kramat Sub-District, is approximately 625 square meters, which is controlled by 3 people.

e) Padaharja Village

Development of the deltaber ergent in Padaharja Village is divided into 3 (three) stages:⁴

² Warnadi, *interview*, Kades Munjungagung, (Kramat, 29 March 2017)

³ Tjartono Nuryadi, *interview*, Head of Kramat Village, (Kramat, 22 March 2017)

⁴ Warningsih and Suharti, *interview*, Head of Sub-Village and Staffs of Padaharja Village (Kramat, 14 August 2017).

- a. First Stage (1985)
Deltaber covering an area of approximately 10 hectares with the village government facilitation by Mr. Sudarmo, is a Padaharja Village Officer.
- b. Second Stage (2000)
The deltaber was with an area of more than 15,000 square meters. Suratno promoted this land for 25 people, each plot measuring 12 meters x 50 meters.
- c. Third Stage (2015)
Residents of land owners appear to measure the land that is controlled before the distribution is held, first notifying the Village Government.
Data on land ownership arose in Padaharja Village which did not have certificates of 14 fields owned by 14 people with an area of 2.5 hectares and 8.65 hectares had been certified with 17 people owned.
- f) Dampyak Village (Sugiharto)
The cultivators of deltaber gathered in a forum for the Association of Farmers Groups (Gapoktan) of coastal lands.⁵ Rulers of deltaber are used for stalls, jasmine gardens and shelter. There are as many as 25 plots.
The Head of the Village named Sugiarto also said that in Dampyak Village, there were "truklan" or deltaber which was sold to other villagers covering an area of approximately 4,000 m² without notifying the Village. The data on land for which their rights have been requested by obtaining certificates are 17 people with a land area of approximately 76,638 square meters.

Warureja Sub-district

There are 12 villages in Warureja Sub-District, all of which have village government status. The villages that are directly adjacent to the Java Sea are Demangharjo Village and Kedungkelor Village. The two villages are also flanked by the Pekijingan River and the Cabrak River for Demangharjo Village, while the Kedungkelor Village is flanked by the Cabrak River and the Rambut River.

- a) Kedungkelor Village
In 1979, the Head of Kedungkelor Village, which was held by Njoe, organized and distributed land for incapacitated local residents and village fighters, such as Hansip, Head of RT / RW and Village Officials. The division is as many as 25 people, with each part obtaining an area of approximately 2,000 square meters. Almost all of them have obtained truklan licenses from the Kedungkelor Village Government, pay PBB taxes and are certified. The exception is an area of approximately 4.5 hectares which is located behind the land belonging to the Air Force.
The residents filed a lawsuit to the Tegal District Court in 2000 which were won by the residents, but the Air Force made an appeal to the High Court with a status quo decision on the deltaber.
- b) Demangharjo Village
In the west of Demangharjo Village, the Pekijingan River is bordered by the Bojongsana Village, Suradadi District. At the estuary of the Pekijingan river there is a 3,000 square meter raised land. The area now tends to remain fixed. The village of Demangharjo to the east is bordered by the Cabrak River, from which the estuary of the river has emerged from which land has emerged.
- c) Characteristics of Deltaber in Tegal Regency.
 - 1) The term of Deltaber
Local people refer to in the following terms:
 - a) the deltaber on the edge or *ereng-ereng* land, for the riverbank.
 - b) GG land, TN land, PII land or truklan land, for the designation of deltaber located on the coast.
 - 2) The Process of Deltaber
Based on the results of the research, the emergence of land as a new natural resource and has economic potential, which is caused by 2 (two) factors, namely:
 - a) Natural factors (dominant factors)
Natural factors have a very large influence on the occurrence of deltaber, this is due to the flow of each river.
 - b) Human action factor (artificial / supporting factor)
The second factor which is the supporting factor for the formation of deltaber is human action. The villagers who are aware of the deltaber and interested in exploiting it by carrying out activities that causes the land to arise.
- d) Location, Area and Utilization of Deltaber
 - 1) Location of Deltaber
The object of the research was in Kramat and Warureja Sub-Districts. In Kramat Sub-District, there are 5 (Villages) and 1 (one) Urban Village, including: Bongkok, Munjungagung, Kramat, Maribaya, Padaharja, and Dampyak Villages, while in Warureja Sub-District, there are 2 (two) villages, namely: Kedungkelor and Demangharjo Villages.
 - 2) Area of Deltaber
The average area of land controlled and utilized by residents in the village is between 501 square meters to 750 square meters.

⁵ Sugiarto, *Interview*, the Head of Dampyak Village, (Kramat, 29 March 2017)

Data on Deltaber in Tegal Regency

No.	Village / Urban Village	Sub-District	Certified land area (ha)	Non-certified land area (ha)
1.	Bongkok	Kramat	14.50	6.00
2.	Munjungagung	Kramat	20.00	25.00
3.	Kramat	Kramat	12.00	8.00
4.	Maribaya	Kramat	3.00	5.57
5.	Padaharja	Kramat	8.65	2.50
6.	Dampyak	Kramat	7.65	0.40
7.	Demangharjo	Wareja	-	0:03
8.	Kedungkelor	Wareja	15.00	22.00
	Total		80.80	54.00

Source: Primary Data, 2017

3) Utilization of Deltaber

The deltabers located in Kramat and Wareja Sub-Districts, Tegal Regency, were used by the local community for fishponds, jasmine plantation, animal husbandry and part of it for settlement as well as for the fishing industry originating from the deltaber.

2. Steps Taken by Residents to Obtain the Land Rights to Deltaber

a. Ownership

The requirements for a person to have the authority to control and utilize the deltaber are as follows:⁶

- 1) Local villagers
- 2) Residents of local villagers who cannot afford
- 3) Residents do not have cultivated land.
- 4) Local villagers who own arable land but it is not large compared to other residents.
- 5) Local villagers who already have arable land but are still able to cultivate deltaber.

According to the Head of Munjungagung Village, the methods for community members to acquire deltaber to be controlled and utilized are as follows:⁷

How to Obtain Deltaber in Tegal District

No.	Acquisition Method of Deltaber	Frequency	Percentage
1.	Truka	12	60
2.	Transfer of cultivation	6	30
3.	Profit sharing	2	10
	Total	20	100

Source: Primary Data, 2017

A similar thing which states that deltaber is State land and can be applied for rights over These deltabers are the Circular of the State Minister / Head of the National Land Agency Number 410-1293 dated 9 May 1996 concerning Control of the Status of Deltaber and Reclaimed Land.

b. The steps taken by the residents in obtaining the land rights of the deltaber that can be requested for their rights. Based on the research in the villages where the land has emerged, the application made by residents to take care of their land rights takes the following steps:

- a. Cultivator or owner / tractor submits an application to the Village Government.
- b. The residents show the location of the land they cultivate.
- c. The Village Government verifies the location.
- d. The Village Head issues a Certificate of Cultivation of Cultivated Land / Trukan Permit.
- e. Application for rights to the local National Land Agency.
- f. If the files are complete, the next stage is the National Land Agency to verify the location with a team known as Registrar A. This team consists of 7 members, namely 6 people from the National Land Agency (BPN) and 1 local Village Head.

Land rights originating from State land can be obtained by means of a government stipulation according to prescribed methods and conditions. The statutory regulations that regulate this are the Regulation of the State Minister for Agrarian Affairs / Head of the National Land Agency Number 3 of 1999 concerning Delegation of Authority to Grant and Cancellation of Decrees Granting Rights to the State junto Regulation of the State Minister for Agrarian Affairs / Head of the National Land Agency Number 9 of 1999 concerning Procedures for Granting and Correction of State Land Rights and Management Rights.

Based on Article 3 of the Regulation of the State Minister for Agrarian Affairs / Head of BPN Number 3 of 1999, the Head of Regency / City Land Offices has the authority to issue decisions regarding:

⁶ Iman Kurdianto, *Personal Interview*, Secretary of Munjungagung Village. (Kramat, 29 March 2017)

⁷ Warnadi, *Personal Interview*, Head of Munjungagung Village. (Kramat, 29 March 2017)

- 1) Granting ownership rights to agricultural land whose area is not more than 2 hectares.
- 2) Granting of ownership rights to non-agricultural land which is not more than 2,000 square meters, except for ex-HGU land.
- 3) Granting of ownership rights to land in the context of implementing the program:
 - a) Transmigration
 - b) Land redistribution Land
 - c) Consolidation land
 - d) Mass registration, both in the context of systematic and sporadic land registration.

The authority of the Head of the Provincial BPN Regional Office to issue a decision regarding an application for the right to State land is regulated in Article 7 of the Regulation of the State Minister for Agrarian Affairs / Head of BPN Number 3 of 1999, the Head of the Provincial BPN Regional Office has the authority to make decisions regarding:

- 1) Granting ownership rights to agricultural land that covers an area of more than two hectares.
- 2) Granting of ownership rights to non-agricultural land whose area is not more than 5,000 square meters unless the authority for granting has been delegated to the Head of Regency / City Land Office.

Based on Article 13 of the Regulation of the State Minister for Agrarian Affairs / Head of BPN Number 3 of 1999, the State Minister for Agrarian Affairs / Head of BPN determines the granting of land rights that are generally granted.

According to Sugiarto, in outline the application for and granting of land rights consist of the following stages: The⁸

- 1) The applicant submits a written application to the official who is authorized to grant land rights through the local land office.
- 2) The Land Office will check the completeness of the application and documents. The documents required are:
 - a) Situation picture / measuring letter
 - b) Land use fatwa
 - c) Minutes of land inspection by "Committee A".
- 3) If the authority to grant the land rights requested is with the Head of the Land Office, then the Head of the Land Office will issue a Decree on the Granting of Rights (SKPH) but if the authority rests with the Head of the Regional Office of BPN, the application documents and documents are complete and accompanied by considerations from the Head of the Land Office regarding whether the application is granted or not is sent to the Head of the Provincial BPN Regional Office and then the Head of the Regional Office will process the application and issue an SKPH. If the authority to grant land rights rests with the State Minister for Agrarian Affairs / Head of BPN, the application files and documents that are complete and accompanied by considerations from the Head of the Regional Office are sent to the State Minister for Agrarian Affairs / Head of BPN will issue an SKPH.
- 4) The Decree Granting Rights is submitted to the applicant through the local land office.
- 5) Land rights applicants are required to fulfill the obligations stated in the SKPH.
- 6) The land title must be registered at the local land office.
- 7) The Head of the Land Office issues a land title certificate and hands it over to the land rights holder.

3. Constraints Faced in Control and Ownership of Deltaber

a. Constraints related to land have arisen in Tegal Regency

According to the statements of several Village Heads where deltaber, the problem that often arises related to deltaber is the priority of granting authority for deltaber newly emerged and land parcel boundary problems arose between residents.⁹

The obstacles related to deltaber include:

- 1) The majority of residents want to own new deltaber.
- 2) The low level of awareness of residents to take care of the land rights they control.
- 3) The residents consider that the process of land rights is a complicated and costly process.

b. Efforts to overcome problems that arise with regard to deltaber in Tegal Regency.

Problems that arise between residents regarding deltaber are resolved through deliberation to reach consensus either through negotiation or mediation. The Village Head in this case plays an active role in resolving existing land disputes.

Settlement of land problems arises by means of:

- 1) Negotiations
the settlement by meeting the disputing parties without the participation of other parties to reach an agreement.
- 2) Mediation

The third party acts as a facilitator of the parties' deliberations to reach an agreement between the parties.

With the exception of the land case that occurred in Kedungkelor Village, Warureja Sub-District, Tegal Regency. Based on the decision of the Semarang High Court, now the land with an area of ± 4.5 hectares is called

⁸ Sugiarto, *Interview*, the Head of the Legal Relations of Agrarian Affairs and Community Empowerment Section, BPN Office, Tegal, (Slawi, 18 August 2017).

⁹ Warnadi, *Interview*, Head of Munjungagung Village, (Kramat, 30 April 2017).

land with status quo.¹⁰ The land is managed and utilized by the residents for shrimp ponds and some jasmine plantations, even though the area is fenced to connect with land belonging to Satrad 205 / TNI AU.

The status quo in the context of land disputes is because:

- 1) In a land dispute between the residents and the Indonesian Air Force, each party has carried out activities on the disputed land. The residents have managed, utilized and planted the land while the Indonesian Air Force has carried out restoration works.
- 2) Because each party claims the land with valid documentary evidence, the court determines the land in the status quo, which means that the land must be left in "its current state".

C. CLOSING

1. Conclusion

- a. The tenure of deltaber in Tegal Regency which is located on the north coast of the Java Sea based on local customary law. This was evidenced by the residents whose control was mostly only with simple stakes as land boundaries and a certificate from the local village head. The newly emerged land is distributed by the village head to village residents on a priority scale for residents who have worked at the beginning and are in the poor category and are domiciled in the local village.
- b. The steps taken to obtain land rights over deltaber are basically the same as applications for State land rights in general which are regulated in the Regulation of the State Minister for Agrarian Affairs of the Head of the National Land Agency Number 3 of 1999 concerning Delegation of Authority to Grant and Cancellation of Decisions on Granting Rights to Tanah Negara junto Regulation of the State Minister for Agrarian Affairs Number 9 of 1999 concerning Procedures for Granting and Permitting Rights to State Land and Management Rights, with procedures / procedures for submitting applications for land title certificates in accordance with Government Regulation Number 24 of 1997 concerning Land Registration.
- c. Several obstacles that hinder the process of tenure and ownership rights over deltaber in Tegal Regency, namely:
 - 1) The majority of residents wish to own newly emerged land.
 - 2) The low level of awareness of residents in managing the rights to the land they control.
 - 3) The residents consider that the process of land rights is a complicated and costly process.Problems related to deltaber in Tegal Regency are resolved through deliberation efforts to reach consensus, with the exception of deltaber in Demangharjo Village, Warureja Sub-District, Tegal Regency.

2. Suggestions

- a. the National Land Agency of Tegal Regency which has the authority to regulate the legal relationship between the object and the subject of the land, especially regarding the arrangement of deltaber, are expected to be able to inventory, distribute and register deltabers in Tegal Regency and be granted a right to land over deltaber to residents. local area so that protection and legal certainty is created by still referring to the Tegal Regency Spatial Plan.
- b. There is a need for continuous socialization to residents by relevant stakeholders, including the Village / Sub-District Government, the Tegal Regency Government, and the National Land Agency to increase citizen awareness of the importance of applying for land rights, especially for emergent land in Tegal Regency.
- c. The Village Government through the Village Head / Lurah should provide a massive understanding that the control and ownership rights over land that are prioritized for the poor are the principles of appropriateness, the principle of equity and the principle of justice so that the socialization can prevent conflicts between residents caused by seizure of land to arise. new.
Given the potential for emergence of emergent land on the coast of Tegal Regency along approximately 30 kilometers in 3 (three) districts, including; Kramat, Suradadi and Warureja Sub-districts allow problems to occur with the wishes of residents who want to control and own the land to arise, so the Tegal Regency Government should have made a Regional Regulation on Deltaber Management.

REFERENCES

BOOKS

- Achdian, Andi, 2009, *Tanah Bagi Yang Tak Bertanah : Ladreform Pada Masa Demokrasi Terpimpin 1960 – 1965*, Kekal Press, Bogor.
- Arba, H.M, 2015, *Hukum Agraria Indonesia*, Sinar Grafika, Jakarta.
- Arisaputra, Muhammad Ilham, 2015, *Reforma Agraria di Indonesia*, Sinar Grafika, Jakarta.
- Buringh, P., 1991, *Pengantar Pengajian Tanah-Tanah Wilayah Tropika dan Subtropika*, Gadjah Mada University Press, Yogyakarta.
- Chulaemi, Achmad, 1993, *Hukum Agraria, Perkembangan, Macam Hak Atas Tanah dan Pindahannya*, FH. UNDIP, Semarang.

¹⁰ Taryani , *Interview*, Head of Government Affairs, Kedungkelor Village, (Warureja, 21-08-2017).

- Fajar ND. Mukti, Achmad Yulianto, 2015, *Dualisme Penelitian Hukum Normatif & Empiris*, Pustaka Pelajar, Yogyakarta.
- Gurnanegara, 2017, *Hukum Pidana Agraria : Logika Hukum Pemberian Hak Atas Tanah dan Ancaman Hukum Pidana*, Tatanusa, Jakarta.
- Harsono, Boedhi, 2008, *Hukum Agraria Indonesia : Himpunan Peraturan -Peraturan Hukum Tanah*, Djambatan, Jakarta.
- , 2013, *HukumAgraria Indonesia : Sejarah Pembentukan Undang -Undang Pokok Agraria, Isi dan Pelaksanaannya*, Universitas Trisakti, Jakarta.
- Marzuki, 2000, *Metodologi Riset*, BPF Universitas Islam Indonesia, Yogyakarta.
- Nasucha, Chaizi, 1995, *Politik Ekonomi Pertanahan Dan Struktur Perpajakan Atas Tanah*, Megapoin Kesaint Blanc Indah Corp., Jakarta.
- Parlindungan A.P, 1992, *Menjawab Masalah Pertanahan Secara Cepat dan Tuntas*, Mandar Maju, Bandung.
- Bappeda, 2016, *Selayang Pandang, Kramat Sub-District*, Tegal Regency.
- Bappeda, 2016, *Selayang Pandang, Warureja Sub-District*, Tegal Regency.

LAWS AND REGULATIONS

The 1945 Constitution

Law No. 23/2014 on Regional Government.

Law Number 1 of 2014 concerning Amendments to Law Number 27 of 2007 concerning Management of Coastal Areas and Small Islands.

Law Number 43 of 2008 concerning State Territory.

Law Number 12 of 2008 concerning Second Amendment to Law Number 32 of 2004 concerning Regional Government.

Law Number 26 of 2007 concerning Spatial Planning.

Law Number 7 of 2004 concerning Water Resources.

Law Number 6 of 1996 concerning Indonesian Waters.

Law Number 5 of 1960 concerning Basic Agrarian Regulations.

Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency Number 17 of 2016 concerning Land Management in Coastal Areas and Small Islands.

Government Regulation Number 38 of 2011 concerning Rivers.

Government Regulation Number 16 of 2004 concerning Land Use.

Government Regulation Number 24 of 1997 concerning Land Registration.

Government Regulation Number 40 of 1996 concerning Business Use Rights, Building Use Rights and Land Use Rights.

Regional Regulation of Tegal Regency Number 10 of 2012 concerning Tegal Regency Spatial Planning 2012 - 2032.

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