

RINGKASAN

**Cut Raisa Nanda
NIM 247410101060** **PENYELESAIAN GANTI RUGI PERMUKIMAN
KEMBALI MASYARAKAT EKS BLANG
LANCANG-RANCONG AKIBAT PERALIHAN
HAK ATAS TANAH**

**(Prof. Jamaluddin, S.H., M. Hum. dan Dr. Ramziati,
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Penyelesaian ganti rugi akibat peralihan hak atas tanah hingga saat ini masih menjadi persoalan dalam praktik hukum agraria di Indonesia. Penyelesaian ganti rugi akibat peralihan hak atas tanah diatur dalam Pasal 9 Ayat (2) Undang-Undang Nomor 2 Tahun 2012 tentang Pengadaan Tanah Bagi Pembangunan Untuk Kepentingan Umum yang menyatakan bahwa Pengadaan tanah untuk kepentingan umum dilaksanakan dengan pemberian ganti kerugian yang layak dan adil. Namun pelaksanaan ganti rugi permukiman kembali masyarakat eks Blang Lancang-Rancong belum terlaksana secara adil dari tahun 1974 sampai sekarang. Adanya kesenjangan antara aturan hukum dengan realitas pelaksanaannya menimbulkan ketidakpastian yang pada akhirnya memicu konflik berkepanjangan antara Pemerintah Daerah dengan masyarakat eks Blang Lancang-Rancong. Penelitian ini bertujuan untuk mengetahui dan menganalisis bentuk penyelesaian ganti rugi permukiman kembali masyarakat berdasarkan Peraturan Perundang-undangan, hambatan serta upaya dalam penyelesaian ganti rugi permukiman kembali masyarakat eks Blang Lancang-Rancong akibat peralihan hak atas tanah. Metode penelitian yang digunakan adalah jenis penelitian kualitatif dan bersifat preskriptif dengan menggunakan pendekatan yuridis empiris. Sumber data dalam penelitian ini yaitu dari data primer dan sekunder. Teknik pengumpulan data melalui penelitian lapangan untuk data primer dan studi kepustakaan untuk data sekunder. Penelitian juga menggunakan teknik analisis data kualitatif yang diolah secara berurutan. Hasil penelitian ini menunjukkan bahwa bentuk penyelesaian ganti rugi permukiman kembali terkait peralihan hak atas tanah berdasarkan Peraturan Perundang-undangan yaitu ganti rugi dapat diberikan dalam bentuk uang, tanah pengganti, permukiman kembali, kepemilikan saham, atau bentuk lain yang disepakati oleh para pihak. Namun, dalam pelaksanaan ganti rugi permukiman kembali masyarakat eks Blang Lancang-Rancong mengalami hambatan yaitu terdapat ketidakjelasan tanggung jawab antara pemerintah daerah dan pihak perusahaan serta keterbatasan anggaran dan lemahnya koordinasi antar lembaga. Upaya penyelesaian ganti rugi tersebut telah ditempuh melalui berbagai pendekatan baik secara administratif, politik, maupun hukum. Saran peneliti, Pemerintah perlu menetapkan pembagian kewenangan disertai penunjukan instansi penanggung jawab utama, menyediakan anggaran khusus yang memadai dalam APBN/APBD, serta perbaikan menyeluruh terhadap sistem pendataan masyarakat eks Blang Lancang-Rancong.

Kata Kunci : Penyelesaian, Ganti Rugi, Peralihan Atas Tanah.

SUMMARY

Cut Raisa Nanda **THE SETTLEMENT OF COMPENSATION FOR
NIM 247410101060** **THE RESETTLEMENT OF THE FORMER BLANG
LANCANG - RANCONG COMMUNITY DUE TO THE
TRANSFER OF LAND RIGHTS**

**(Prof. Jamaluddin, S.H., M. Hum. and Dr. Ramziati,
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The settlement of compensation resulting from the transfer of land rights remains an issue in agrarian law practice in Indonesia. The settlement of compensation due to the transfer of land rights is regulated in Article 9, Paragraph (2) of Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest, which states that land acquisition for public interest should be carried out with the provision of fair and proper compensation. However, the implementation of compensation for the resettlement of the former Blang Lancang-Rancong community has not been carried out fairly from 1974 to the present. The gap between the legal provisions and the reality of its implementation has created uncertainty, which has ultimately led to prolonged conflict between the local government and the former residents of Blang Lancang-Rancong. This study aims to identify and analyze the forms of compensation for the resettlement of communities as stipulated by law, as well as the obstacles and attempts to resolve compensation issues for the former Blang Lancang-Rancong community resulting from the transfer of land rights. The research method used includes is a qualitative, prescriptive study that uses a normative juridical approach. The data sources in this research are primary and secondary data. The data collection techniques through field research for primary data and literature study for secondary data. The research also uses qualitative data analysis techniques that are processed sequentially. The results of this study indicate that the form of compensation for resettlement related to the transfer of land rights in accordance with the law stipulates that compensation must be may be provided in the form of money, replacement land, resettlement, share ownership, or other forms agreed upon by the parties. However, in the implementation of resettlement compensation, the former Blang Lancang-Rancong community has encountered obstacles, namely unclear responsibilities between the local government and the company as well as budgetary constraints and lack of coordination among institutions. Several approaches including administrative, political, and legal measures have been taken to resolve the compensation issue. The researchers recommend that the government need to establish a clear division of authority accompanied by the assignment of a lead agency while also allocating adequate specific funds in the national and regional budgets as well as a comprehensive update of the data collection system for the former Blang Lancang-Rancong community.

Keywords: Settlement, Compensation, Transfer of Land.