

IDENTIFICATION AND ANALYSIS OF OBSTACLES TO LAND ACQUISITION FOR TOLL ROADS IN DKI JAKARTA PROVINCE

WICAKSONO HANTORO ¹, Dr. IR. DWI DINARIANA, M.T. ^{2*} and
Dr. IR. HARI NUGRAHA NURJAMAN, M.T. ³

^{1,2,3} Master of Civil Engineering, Faculty of Engineering, University of Persada Indonesia Y.A.I, Jakarta, Indonesia.

Email: ¹Hantorow46@gmail.com, ²dwidinariana@yahoo.com (*Corresponding Author),

³hari_nurjaman37@yahoo.com

Abstract

In toll road construction, the availability of land significantly impacts the productivity of the work. The challenges encountered in the land acquisition process are not only related to land costs but also to the time required for its implementation. The existence of land that has not been fully acquired during the construction process is one of the main risk responses that impacts project duration. Risk management is crucial to reduce the occurrence of such risks. This research aims to identify the dominant risks in land acquisition for toll roads in DKI Jakarta Province. This study employed a descriptive research design with data analysis using the Analytical Hierarchy Process (AHP) method. The research stages involve risk identification, risk analysis, and the development of response plans for dominant risks by experts. Data was collected through interviews and questionnaires, while secondary data such as literature, risk management of similar activities, and monthly reports were used to obtain information related to factors hindering the implementation of land acquisition for toll roads. There are four dominant risk factors that can affect land acquisition implementation: (1) The process of compensation for special land types (waqf, government-owned land, and village communal land) does not follow the procedures, (2) The implementation time of land acquisition does not comply with regulations, (3) Delays in certifying the acquired land, and (4) Delays in completing compensation for special land types.

Keywords: Risk Management, Acquisition, Procurement, Land.

INTRODUCTION

DKI Jakarta requires a transportation infrastructure that supports efficient goods movement to foster economic and business growth. Furthermore, the construction of toll roads aims to reduce the burden on conventional roads by diverting a significant portion of traffic to toll roads, thereby improving the quality of life and safety of residents. The time-consuming land acquisition process significantly impacts the progress of development. A clear example can be seen in toll road construction projects in DKI Jakarta, where delays occur due to difficulties in land acquisition. These developments have prompted a need for in-depth studies on the land acquisition process for toll road segments. To address this issue, targeted and sustained efforts are needed to improve the land acquisition process, including improvements to related regulations, acceleration of land acquisition, and increased coordination among relevant parties. This is expected to enhance investment attractiveness in toll road development and accelerate the construction of infrastructure required to support economic growth and community mobility. Such studies are expected to provide a better understanding of the challenges faced in land acquisition and the solutions that can be implemented to overcome

these challenges. Consequently, it is hoped that toll road construction projects in DKI Jakarta can be continued more smoothly and efficiently, so that the benefits can be felt by the community sooner.

OBJECTIVE

This research aims to identify the dominant risks in land acquisition for toll roads in DKI Jakarta Province.

RESEARCH METHOD

Data was collected through interviews and questionnaires. Both face-to-face interviews and questionnaires were conducted with relevant experts for validation purposes. The questionnaires were designed based on the required analysis parameters to ensure that the collected data was relevant to the research objectives. The collected data and information were analyzed to understand the risks and response levels during the construction process. This study employed qualitative data (nominal and ordinal) with non-parametric statistical methods. The analytical methods used include validity and reliability tests, descriptive analysis, Analytical Hierarchy Process (AHP), risk analysis, and the Delphi method.

RESULT

Based on the risk assessment, the identified work activities have a high probability of occurrence and a significant impact.

Table 1: Ranking of Highest Risks

Risk Type	Risk Factor	Risk Category
Process of compensation for special land types (Waqf, Institutions, and Village Communal Land) does not follow the procedure	0.663	High
Implementation time of land acquisition does not comply with regulations	0.667	High
Delay in certifying the acquired land	0.747	High
Delay in completing compensation for special land types	0.704	High

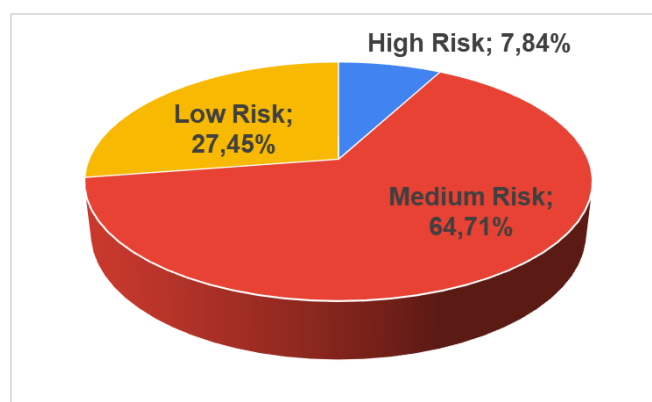


Figure 1: Risk Category Diagram

As shown in the diagram above, the number of risks categorized as low is 27.45%, medium is 64.71%, and high is 7.84%. The dominant risks identified were then validated against the obtained results. The validation was processed using the Delphi method to reach a consensus among experts, thus determining the opinions regarding dominant risks that have a negative impact on project time performance.

Table 2: Risk Mitigation

No.	Risk	Risk Mitigation
1.	The compensation process for special land types (Waqf, Institutional, and Village Common Land) is not following the established procedures.	<ul style="list-style-type: none"> a. Enhancing understanding of regulations. Socialization and education need to be conducted for all parties involved in the land compensation process regarding the applicable regulations. b. Strengthening inter-institutional coordination. Better coordination among government agencies involved in the land compensation process is required. c. Strengthening law enforcement. Stricter law enforcement against parties who violate land compensation regulations is necessary. d. Socialization and transparency regarding compensation amounts, tax deductions, and other related matters. Effective socialization ensures that all parties involved understand their rights and obligations, and the process to be implemented. Transparency in determining compensation amounts helps prevent misunderstandings and increases public trust in the process. Additionally, tax deductions and other policies should be clearly explained to avoid confusion among the affected community
2.	The land acquisition implementation time does not comply with regulations.	<ul style="list-style-type: none"> a. A more in-depth planning study needs to be conducted by the Ministry of Public Works and Housing. Projects should conduct in-depth planning before initiating the land acquisition process. This ensures that all technical and non-technical aspects are thoroughly considered, thereby minimizing the potential for delays and issues during project implementation. b. Enhance inter-agency coordination. Better coordination among agencies involved in the land acquisition process is required. c. Streamline bureaucratic procedures. The land acquisition process should be simplified and expedited to ensure timely execution.
3.	Delays in certifying acquired land	<ul style="list-style-type: none"> a. Create a detailed plan for the land certification process, including timelines and performance targets. b. Strengthen coordination among relevant institutions, such as the National Land Agency (BPN), regional governments, and other stakeholders involved in the land acquisition process. c. Establish a special team tasked with handling the land certification process. d. Utilize information technology to facilitate and expedite the certification process, such as using e-certification systems. e. Conduct regular monitoring and evaluation of the land certification process to identify obstacles and challenges.
4.	Delays in the completion of compensation for special land types.	<ul style="list-style-type: none"> a. Conduct a comprehensive survey and mapping of special land types, including data on ownership, land rights, land value, and specific characteristics. b. Develop an integrated information system that connects all parties involved in the land acquisition process, such as the government,

No.	Risk	Risk Mitigation
		BPN, toll road operators, and affected parties c. Prepare an adequate budget for land acquisition, especially for special land types that require higher compensation values d. Involve professional land appraisers who have expertise in valuing special land types e. Establish fair and just compensation standards for affected parties, considering the economic, cultural, historical, and religious values of the land f. Conduct mediation and negotiation with affected parties who face difficulties in the land acquisition process, especially for special land types that have sentimental or religious value for the owners g. Conduct a social and environmental impact assessment (Amdal) to identify and analyze the potential social and environmental impacts of the toll road project, especially in areas with special land types h. Effective coordination among institutions using valid data related to the land compensation process for special land types for toll road development. This step ensures that all parties have the same understanding and accurate information, so that the compensation process can be carried out efficiently and fairly, reducing the risk of conflict and delay.

CONCLUSION

This study corroborates the hypothesis that the complexities associated with handling special land types and deviations from established procedures are the primary determinants of delays in land acquisition for toll road projects in DKI Jakarta. Findings indicate that human resource competence in land acquisition for toll road projects falls within a moderate risk category. Additionally, the study highlights that delays in land certification constitute a significant risk factor, introducing uncertainty into the project timeline.

Reference

- 1) Amalia, R. (2012). Perlindungan Hukum Bagi Pemegang Hak Atas Tanah Dalam Penetapan Ganti Rugi Terkait Dengan Pengadaan Tanah Untuk Kepentingan Umum. *Yuridika*, 27(September-Desember 2012), 267–280.
- 2) Athfal, I. (2019). Pengadaan Tanah Untuk Pembangunan Jalan Tol Di Kabupaten Pematang. *Pandecta*, 12(December 2017), 166–172. <https://doi.org/10.15294/Pandecta.V12i2.11677>
- 3) Djanggih, H. (2017). Aspek Hukum Pengadaan Tanah Bagi Pelaksanaan Pembangunan Untuk Kepentingan Umum. *Pandecta*, 12(December 2017), 166–172. <https://doi.org/10.15294/Pandecta.V12i2.11677>
- 4) Erdiana, N., Santoso, B., Hafidh, M., Program, P., & Kenotariatan, S. M. (2021). Eksistensi Bank Tanah Terkait Pengadaan Tanah Berdasarkan Undang-Undang Cipta Kerja. *Notarius*, 14.
- 5) Faradita, G. (2023). Pemberian Gsanti Kerugian Dalam Pengadaan Tanah Berdasarkan Undang-Undang Nomor 2 Tahun 2012 Tentang Pengadaan Tanah Bagi Pembangunan Untuk Kepentingan Umum Di Kelurahan Tuah Negeri Kecamatan Tenayan Raya. Universitas Islam Negeri Sultan Syarif Kasim Riau.
- 6) Ibnudin, U. (2023). Implementasi Pp Nomor 39 Tahun 2023.

- 7) Khofiyah, O., & Angreni, I. (2019). Pengaruh Pembebasan Tanah Terhadap Keterlambatan Proyek Pembangunan Jalan Tol Studi Kasus: Jalan Tol Cinere-Jagorawi Seksi Ii B. *Media Komunikasi Teknik Sipil*, 25(2 Desember 2019), 191–198.
- 8) Langgeroni, R. (2015). Pelaksanaan Pengadaan Tanah Hak Milik Perorangan Oleh Pemerintah Daerah Untuk Kepentingan Umum. *Lex Et Societatis*, 3(Juli 2015), 43–52.
- 9) Nugraha, M. A., Oktaviani, C. Z., & Bulba, A. T. (2022). Pengaruh Keterlambatan Proses Pengadaan Tanah Terhadap Pencapaian Waktu Proyek. *Jurnal Arsip Rekayasa Sipil Dan Perencanaan*, 5(1), 59–68. <https://doi.org/10.24815/jarsp.v5i1.25451>
- 10) Presetyo Firgianto. (2020). Tanah Untuk Eksplorasi Dan Eksploitasi Minyak Dan Gas Bumi. *Pasca Sarjana Universitas Kristen Indonesia*, 1(Vol. 1 No. 1 (2020): Desember), 93–126.
- 11) Sufriadi Fakultas Hukum Universitas Hazairin Bengkulu Jl Jenderal Ahmad Yani No, Y., & Yanto, B. (2011). Penyebab Sengketa Pengadaan Tanah Untuk Kepentingan Umum (Studi Kasus Sengketa Pengadaan Tanah Untuk Kepentingan Umum DiBengkulu). *Em Jurnal Hukum No (Vol. 18, Número 1)*.
- 12) Sugianto, & Leliya. (2017). Pengadaan Tanah Untuk Kepentingan Umum Sebuah Analisis Dalam Prespektif Hukum & Dampak Terhadap Prilaku Ekonomi Masyarakat.
- 13) Yamin, M., Purba, H., Sembiring, R., & Sari, E. (2022). Politik Hukum Pengadaan Tanah Terhadap Tanah Abrasi Pasca Diberlakukan Undang-Undang Cipta Kerja. *Jurnal Ius Constituendum* |, 7, 50–67.