# Land Service Transformation as an Effort to Provide Transparent and Accountable Public Services

Mira Novana Ardani[1*], Yusriyadi[2], Ana Silviana[3]
{miranovana@yahoo.com[1*], yusriyadi@live.undip.ac.id[2], ana.silviana@live.undip.ac.id[3]}

Faculty of Law, Diponegoro University, Semarang, Indonesia[123]

**Abstract.** The land sector is undergoing tremendous change. In terms of the services offered to the general public, one of them is the revolution that is currently taking place in the land sector. One of the responsibilities that the government has to its citizens is public service, which enables accurate communication of information regarding matters particularly related to the government.This study employed normative legal research methods. Land applications and electronic services are two possible ways that the government, in this case the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, is transforming land services. The electronic land service, which includes the chosen service mechanism, the applicant's obligations, application requirements, fees, payment mechanisms, and the outcomes, shows the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency's efforts to provide transparent and accountable public services. Services are provided, plus a statement of whether the application is accepted or rejected.

**Keywords:** Transformation, Land Services, Transparency, Accountability.

## 1 Introduction

The advancement of the times demonstrates that we must promptly adjust. The fourth industrial revolution is another name for it. The "cyber physical system," also referred to as "industrial revolution 4.0," is a phenomenon where automation and cyber technology work together. This revolution itself brought many changes in various sectors. In the beginning, many companies needed a large number of workers, and now they can be replaced by technological machines [1]. The impact is not only in the social, but also in politics, economy, and culture. Existing developments are increasingly spurring this nation to continue to be able to innovate so as not to be left behind by other nations. This requires mutual attention, especially in the land sector.

Soil is very important because humans cannot be separated from it as living beings. To maintain life, humans need shelter, a place to carry out their daily activities, and a place to grow crops. Even later, when they die to Allah, humans still need land.

Because of the importance of land, it is not surprising if someone is willing to risk his life to keep the plot of land he owns so that it does not fall into the hands of others who will seize his land. The land is also used as an investment material in great demand because almost all land parcels experience price increases from time to time. In addition, there are several reasons why investing in land is an auspicious thing. Among them, land investment has the potential to get added value, can be used as business land, only requires minimal maintenance costs, there is no risk of loss, and can become future savings [2]. This is also conveyed in the

results of research conducted by Choirul Hamidah [3], which states that the largest investment expenditure is in the form of buying land for housing and agricultural land (42%), for housing or shop construction (40%), various kinds of business capital ( 15%) and finance school children (3%).

Based on these reasons, to keep up with the times and not be left behind by other nations, the transformation in the land sector is very important. In terms of the services offered to the general public, one of them is the revolution that is currently taking place in the land sector. Changes in form, nature, or function are referred to as transformations (https://kbbi.web.id/Transformasi). One of the duties that the government owes to its citizens is public service, which enables accurate dissemination of information on matters pertaining to the government.This complies with the rules set forth in Law No. 25 of 2009 regarding Public Services. Public services are defined as actions or a sequence of actions carried out in the context of meeting the demands of every citizen and resident in terms of goods, services, and/or administrative services offered by public service providers in line with the laws and regulations.

Initially, if the community wanted to know about a service provided by the land office, whether it was about the rules, procedures, procedures, or stages in a land service, they had to come to the local land office or even go through improper channels, namely through brokers or brokers intermediary. This is done so that it is easy and fast without the hassle because they do not have much time, especially for those who have legal action against their land rights.

In addition, this land service is also closely related to the time a service is provided, as is the case with the time limit, which is one of the benchmarks for whether the services provided by the land office are following the predetermined time target or even exceed it. It is the responsibility of the Ministry of Agriculture and Planning to handle government affairs pertaining to the agricultural sector, land use planning, and the provision of land services in accordance with Presidential Regulation No. 47 of 2020 regarding the Ministry of Agriculture and Planning.

To improve public services, the Ministry of Agriculture and Planning has made various efforts to improve services by improving service performance, improving service standards and creating service innovations. It is important to do this because there is still a paradigm in the community that land services tend to be complicated, take a long time to process, lack transparency and are expensive [4, 5].

Based on this, The authors are interested in conducting research using the problem formulation. What changes are made to land services by the National Land Agency/Ministry of Agrarian Affairs and Spatial Planning? and what efforts can be made by the National Land Agency, part of the Ministry of Agrarian Affairs and Spatial Planning to provide transparent and accountable public services?

## 2  Research Method

The research method adopted in this study is normative juridical research. Research that is normative in law, where the law is conceived as what is stated in the legislation (law in books) or as a rule or norm that serves as a baseline for human behavior that is deemed proper [6]. The basis of normative research in the law, utilizes both primary and secondary legal resources, specifically, studies that make reference to the legal standards [7, 8]. This study's methodology is statutory.

Tracing legal documentation or literature studies on primary, secondary, and tertiary legal resources are some examples of the types and sources of legal documentation employed. The 1945 Constitution is the beginning point for the hierarchy of national legal standards, which is comprised of legislation, executive orders, and other legal requirements. Secondary legal documents include those that have been gleaned from books, foreign publications, and academic opinions [9]. Legal dictionaries, encyclopedias, and other reference works are examples of secondary legal resources, whereas tertiary legal materials serve as instructions or justifications for primary and secondary legal documents.

## 3 Results and Discussion

### 3.1 Forms of Land Service Transformation Carried out by the National Land Ministry of Agrarian Affairs

In this case, the National Land Ministry of Agrarian Affairs, which has government obligations in the land sector and many functions in carrying out these tasks. The National Land Agency is responsible for carrying out at least twelve functions, including managing land data and information, in accordance with Presidential Regulation No. 48 of 2020 regarding the National Land Agency.

According to the Minister of Agrarian Affairs and Spatial Planning's/National Land Agency's Regulation No. 38 of 2016 concerning the Organization and Workflow of the Regional Office of the Land Office and the National Land Agency, the land office is a vertical agency of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency in the district/city that is under and accountable to the Minister of Agrarian Affairs and Spatial Planning.

In carrying out its duties, especially those related to services provided to the public, the land office in the administrative subsection carries out the function of coordinating and facilitating the management of land services; and implementation of public relations affairs and information services, legal advocacy, statutory regulations, and handling of public complaints.

Land services, including the land registration service, are still provided by the land office. The government is the organizer of land registration activities. To achieve the registration of all Indonesian land parcels, the National Land Agency, whose implementation is at the land office, continues to work diligently. This is shown in Article 19 of Law No. 5 of 1960 concerning Basic Regulations on Agrarian Principles, which states that land registration is done across the Republic of Indonesia's territory to assure the government's legal certainty. The goal of this land registration endeavor is also to register all of Indonesia's land parcels by 2025 [10]. The Complete Systematic Land Registration (Pendaftaran Tanah Sistematis Lengkap/PTSL) program was expedited as part of this effort.

The government must have a plan in place to ensure that land registration is implemented efficiently and effectively if it is to be able to fulfill the target set. The government is transforming land services through digital transformation.

The National Land Agency (Agraria dan Tata Ruang/Badan Pertanahan Nasional or ATR/BPN), a division of the Ministry of Agrarian and Spatial Planning output of PTSL certificates will be proportional to the quantity of land records created. Call it PTSL certificates, Land Books, Letters of Measurement produced. As an illustration, the minimum number of documents for PTSL registration is 25 sheets, 1 (one) Land Book, 1 (one)

Measurement Letter, 1 (one) Measurement Drawing, 1 (one) sheet of land plot map. It can be calculated at a minimum that 1 (one) plot of land contains 28 sheets of archive. You can imagine and count how many land records were produced from this PTSL program [11].

With the large number of files that the land office must keep, there will be risks that must be faced.For example, the certificate you are looking for is not found, and there is limited space to store the archive. With the target that all parcels of land in Indonesia are registered, how much area and how many buildings and storage cabinets are needed to store all these files. In addition, in the event of a natural disaster, such as a flood, will the archives still be neatly organized, without any changes in the form of the archive in question. Risks in other forms such as fire and disappearance must also be a concern.

Since the 2010s, the Ministry of ATR/BPN has attempted to digitize its land records, but the effort has not been successful. The Ministry of ATR/BPN once more started this program in 2017, the year when PTSL was first publicized. To support this program, on August 5, 2019, the Ministry of ATR/BPN released Circular Letter No. 5/SE-100.TU.02.01/VIII/2019 concerning Standardization of Script (warkah) Digitization, which contains the intention and purpose of digitizing warkah, legal justification for digitizing warkah, stages of document digitization activities, and attachment procedures. The purpose and objective of this circular is to serve as a guideline for the implementation of document digitization activities with the hope that digitization activities can run effectively and efficiently.

In implementing electronic-based services, at least six countries are sampled, namely South Korea, Australia, Turkey, Malaysia, New Zealand, and Singapore. In South Korea, he continued, the activity of digitizing land certificates has been started since 1998. In this activity, the challenges faced by the Korea Land Information System (KLIS) are duplicating and consistent data. In addition to South Korea, New Zealand has also implemented electronic land certificates, which began in 1996. One of the breakthroughs in electronic certificate services in New Zealand is that the public can access the land data platform, including various maps and topographic data, as well as conduct e-dealing or conducting transactions land online. Malaysia is piloting an e-certificate program. The process of digitizing their land data began in 2018 and this is supported by the emergence of several applications such as e-Land, eKadaster and MyGeoName [12].

The government's transformation of land services, land applications and electronic services from the National Land Agency and Ministry of Agrarian Affairs and Spatial Planning may be used in this situation. At the City Land Office of Semarang, one may observe the transformation of land services into an application. Land services in the form of land applications can be seen on the Semarang City Land Office website. These services include new lanterns, ATR BPN partners, my land touch application. New Lantern is a Convenient and Reliable Electronic Counter. The purpose of the new lantern is to improve land services to the community through the development of online counters as part of service innovation. The new lantern began during the pandemic (covid 19) to accommodate the need to continue to provide land services by paying attention to health protocols that must be maintained. Additionally, LENTERA is a type of service for the Semarang City Land Office in response to the Circular Letter of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 2/SE-100.TU/III/2020 dated March 16, 2020 regarding Follow-Up Efforts to Prevent the Spread of 2019 Corona Virus Disease (COVID 19) within the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency that offices that have service functions (https://bpnkotasemarang.id).

A service known as the Service House is provided to support the implementation of LENTERA to be more effective and efficient. The Semarang City BPN Service House is here

with the aim that people who are on the outskirts of Semarang City when they want to carry out land-related services do not need to go far to the Semarang City BPN office, and so that people can reach the Semarang City BPN Office more easily. The Service House is another option for those who are unwilling to handle their own land services because the BPN Office is constantly backed up with lengthy lines. The location of the Service House is in three strategic points in the city of Semarang, namely in the Gayamsari, Banyumanik, and West Semarang sub-districts. Not only as a means of registering land services, the Service House also serves receipt of physical files and submission of files/land service products for applicants who register online through the LENTERA application, so the public does not need to queue or jostle at the Semarang City BPN Office so that physical file receipts and product collections are received. or land service files so much easier.

The National Land Agency and the Ministry of Agrarian Affairs and Spatial Planning's partners can both take advantage of electronic land services thanks to the ATR BPN partner application's availability. The Ministry of Agrarian Affairs and Spatial Planning/working BPN's partners, Land Deed Maker Officials/Surveyors and Assistant Cadastre Surveyors/Land Appraisers, use this application. For Land Deed Maker Officials, Licensed Cadastre Surveyors, and Land Appraisers, this Partner Application is used to update and verify data. Prospective Partners can access the Ministry of Agrarian and Spatial Planning/BPN Work Partner application through the ATR/BPN Partner Application to obtain a user ID and password.

The Touch Tanahku application is another one that the general public can utilize electronically.To make it simple for people to obtain land information, the Ministry of Agrarian Affairs and Spatial Planning (ATR)/National Land Agency (BPN) launched the Touch Tanahku application. On the other hand, ATR/BPN gets participatory data that can help improve the Land Information System (GeoKKP). It is hoped that the Touch Tanahku application will establish a symbiotic mutualism between ATR/BPN and the community and the relationship between ATR/BPN and the community will become closer. This application Touch Tanahku is available in Android or iOS versions and can be downloaded for free via PlayStore or App Store.

The transformation of electronic land services carried out by the Ministry of Agrarian and Spatial Planning (ATR)/National Land Agency (BPN), including: Mortgage Rights in Electronic Form (HT-el), Land Value Zone Information (*Zona Nilai Tanah*/ZNT), checking land certificates and making a Registration Certificate Soil. These four electronic-based services are already valid in all land offices throughout Indonesia. . In addition to responding to current technological developments, the land service transformation is also an integration of services from conventional to digital, which aims to improve service quality[12].

The Cirebon City Land Office also carries out the form of land service transformation. The transformation step taken is in the form of digital transformation. The general idea behind this is to offer services that evolve with technological advancements and satisfy community expectations and demands. The development of digitalization in government services is carried out to increase the efficiency and effectiveness of public services to make government transparency in the eyes of the public. The Cirebon City Land Office offers land-related services in Indonesian Quick Response Code (QRIS).

The QR Code payment method from Bank Indonesia has been standardized utilizing the barcode system known as QRIS, making the transaction procedure with the QR Code simpler, faster, and more secure. By using server-based electronic money applications, digital wallets, or mobile banking, the Cirebon City Office's QRIS approach enables the general public to pay for non-tax state revenues (Pendapatan Negara Bukan Pajak/PNBP) for land services. so that

mobile phone transactions can be done conveniently and securely. Avoiding direct touch and maintaining a distance from others are strongly advised, especially in light of the Covid-19 outbreak [13].

The transformation of land services undergone by the government, in this case by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, demonstrates the dedication of the government to achieving simple, useful, quick, and effective land services. Evidence for this can be found on the website of the National Land Agency/Ministry of Agrarian Affairs and Spatial Planning, which also provides information on the availability of electronic-based land services. In addition, there are innovations in various land offices to complement and support land services in electronic form.

**3.2   Efforts That Can Be Done by the National Land Agency/Ministry of Agrarian and Spatial Planning to Provide Transparent and Accountable Public Services**

The government's dedication to delivering public services that the larger community can use is demonstrated in the transformation of land services carried out by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency. To be able to realize a good public service, it requires a model of transparency and accountability. The right of the public to know the decisions made by individuals they trust is a component of the concepts of transparency and accountability. Media accountability in the notion of accountability encompasses activities that make it simpler for the mandate giver to acquire information, both directly and indirectly, orally or in writing. It is not limited to accountability reports. [14].

The implementation of tasks and activities that are accessible to the public from the policy, planning, implementation, and monitoring and controlling processes, as well as those that are easily accessible to all parties who require information, constitutes transparency in the delivery of public services [15]. Transparency will reduce the level of uncertainty in the provision of land information and services. Transparency and accountability are related to each other. The freedom to access information is referred to as transparency. Accountability is about having to answer to the public for all of your actions. [16].

Depending on how easily individuals can comprehend what the government is doing, why the government is doing it, and how closely the government's activities adhere to established principles, people can decide whether or not government actions are accountable. Suppose the public cannot understand what the government is doing, understand the rationality of the action, and compare it with the values they have. In that case, it will be difficult to judge the accountability of the government's actions. Here transparency has an vital role in the development of public accountability because by realizing transparency, the government at least has made it easier for citizens to know their actions, the rationality of those actions, and compare them with the existing value system. Without transparency, there will be no public accountability [17].

According to Barker [18], for government institutions, accountability is the requirement that public officials inform citizens of their activities and the community's authority to take legal action against officials who fail to prioritize the satisfaction of citizens in the performance of their tasks or perhaps it is essential in democracy. In this case, the accountability of government institutions or public officials basically also includes the dimension of transparency.

Transparency and accountability are basically: first, the dimensions of the government's obligation to: (a) be responsible for what is done in an open (transparent) way; (b) show what was done in the form of a report or explanation, all of which are obligations to fulfill people's

rights. Second, in the form of the people's right to: (a) obtain information in the form of accountability for what government officials do; and (b) feel satisfied with all government policies, because every stage of government management processes always informs the public and vice versa the community has the right to control each process. In this case, it is absolutely inseparable between what the government does and the interests or rights of the people in it. When the government does not report or inform the public about what it is doing, or does not satisfy the community, or cannot accommodate the interests of the people so that it disappoints, then by itself means that it has violated the rights of the people [17].

The electronic land service, which includes the chosen service mechanism, the applicant's obligations, application requirements, fees, payment mechanisms, and the existence of results of the services provided, shows the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency's efforts to provide transparent and accountable land services.

The result of this service is an accountable effort because there are forms that result from the services requested by the community. For example, in providing electronic certificate checking services, the service results are in the form of electronic documents that are ratified with individual electronic signatures by authorized officials or electronic signatures on behalf of institutions by electronic systems. In addition, a time limit has been set in issuing the results of the service. For electronic services, the certificate of service results is checked no later than one working day since the electronic system confirms the service request.

Another transparency effort presented in the electronic land service is information that will be given whether the application will be rejected or can proceed to the next stage. For example, in land value information services. The system will confirm whether the plot of land in question is in a location with a Land Value Zone Map or a Land Value Map available. If the location of the said plot of land is not yet available, the Land Value Zone Map or Land Value Map is not available, the system will automatically reject the application. On the other hand, if the location of the requested land parcel is available, the Land Value Zone Map or Land Value Map is available, then the applicant uploads the application requirements.


## 4  Conclusion

Land applications and electronic services are two possible ways that the government, in this case the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, is transforming land services. Services in the form of applications that have been carried out include new lanterns, ATR BPN partners, and the touch landku application. Land services in the form of this application have also been developed in various land offices throughout Indonesia. Electronic mortgage rights (HT-el), land value zone information (ZNT), examining land certificates, and creating land registration certificates are just a few of the electronic land services provided by the Ministry of Agrarian and Spatial Planning (ATR)/National Land Agency (BPN).

Land services in electronic form, which contain the chosen service mechanism, applicant's obligations, application requirements, fees, payment mechanisms, and the results of the services provided, are one way that the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency's efforts to provide transparent and accountable public services are demonstrated. In addition, information will be provided whether the application will be rejected or can proceed to the next stage.

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