

Removal was indicated by the legality of land ownership rights.

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Abstract

There were several land statuses before to Indonesian independence, including customary land, sultanate land, Indonesian land rights, State domain land, land eigendmrechts, soil, opstalrechtssoil erfpachtrechts, land gebruikrechts, and so forth. Following Indonesia's independence, the Basic Agrarian Law, also known as Law Number 5 of 1960 covering Basic Agrarian Regulations, established customary land, state land, and land rights (over land). The Government then issued Government Regulation Number 11 of 2010 concerning Control and Utilisation of Abandoned Lands, followed by a Head Regulation Land Agency Number 4 of 2010 concerning Procedures for Controlling Abandoned Land, regarding lands that are not functioned, processed, cultivated, or utilised in accordance with the circumstances, nature, and purpose of their rights or the basis for their control. This study used a normative juridical research approach, often known as literary law research. Examining secondary data or library resources is how normative juridical legal study is conducted. The study starts by evaluating and analysing a number of land items that have been abandoned by their owners. Additionally, an examination is conducted to see if the government—in this example, the local Land Office—has taken any effort to rectify the situation. The presence of a third party in charge of the abandoned property is then examined in order to continue this inquiry.

Keywords: legality; ownership; indicated land

Introduction

An essential natural resource for meeting human needs is land. The majority of human existence is reliant on land. Land is necessary for wider purposes in addition to its own. Despite the fact that some people have never owned property in their lives, every human being has always attempted to do so and will continue to do so no matter what. Land has economic worth and may be held by any person, community, or legal body. The more demand and need there is for land, the more valuable it is. Until the land eventually becomes a commercial asset, a legacy, or even a religious relic. Land is precious because it is a special and restricted privilege. The potential productive capital is in the control of whomever owns the property. Land has an income and an income value, and it is distinct, permanent, and almost unbreakable. Because human life and land are inextricably linked, land is essential to human existence. Humans use the land to acquire food and survive on it [1].

Land as a *resource* has advantages compared to other resources, namely [2]:

Land remains in place and cannot be moved, what

can be transported or moved is soil material including objects on it. Humans who control and own it can move through the transfer of rights.

Soils are very heterogeneous and vary in value. Other commodities have a relative measure of fixed value, for example the price of oil, the price of natural rubber, palm oil, and so on. Land prices vary widely based on location. Hundreds of hectares in \ rural areas have a lower price compared to tens of square meters in cities.

Land is unique in its use or utilization. One time, land is very valuable if it contains abundant natural resources and is valuable for sale. Certain areas of local land must be protected because they are linked to their ecosystem. And in other places barren lands or grasslands are not "needed".

The land and the people who inhabit and work on it have a strong emotional bond. In this case, the terms *mother land*, *motherland*, *motherland* or other similar names in various parts of the world indicate a very close inner attachment between land and humans.

The importance of land for human existence is multifaceted. First, land is a method of production

that may lead to success from an economic perspective. Second, in terms of politics, a person's role in communal decision-making might be determined by their property. Third, it might reveal the owner's social standing since it is cultural capital. Fourth, because everyone will return to the land at the end of their lives, land has a holy significance [3]. Due to its multifaceted meaning, landowners have a propensity to protect their rights in whatever manner when those rights are infringed. Land disputes are not unusual, particularly when it comes to ownership rights. Additionally, as the population grows, there is a growing demand for land, yet there is less land available every day. As a result of the growing demand for land, land prices also rise to a high selling value. Prior to Indonesia's independence, there were several types of land: soil, eigendomsrecht soil opstalrecht, soil, erfpachtrecht soil gebruikrecht, land of the empire, land rights of Indonesia, land of the State domain, and so on. There were three different land status configurations after Indonesia's independence and the implementation of the Basic Agrarian Law: customary land, state land, and titled land (over land). There are still a lot of issues with land ownership in various social groups. This is due to the fact that more land is being used for homes and businesses as a result of the very quick population growth. Because of this, everything must be based on the applicable law, as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (henceforth referred to as the 1945 Constitution of the Republic of Indonesia), which states that "Indonesia is a State based on law." The Republic of Indonesia's 1945 Constitution states in Article 33 paragraph (3) that "Earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people." According to this article, the state must control human-land connections, human-human relations with respect to land, and all legal acts pertaining to land via a variety of rules and regulations in the land sector [4]. Therefore, on September 24, 1960, a land legislation known as legislation Number 5 of 1960 concerning Basic Agrarian Regulations, or simply Law, was established to govern the use of land or land so as not to generate disagreements in the community. - The Basic Agrarian Law, often known as UUPA. Indonesian land law, or agrarian law, has undergone a significant transformation since the UUPA was passed. The LoGA's structure, underlying principles, and contents must all be modified to better serve the interests of the Indonesian people

and meet their requirements in light of contemporary circumstances.

Prior to the UUPA, Indonesia had two legal systems for land issues: land law based on customary law and land law based on western law found in the Burgerlijk Wetboek (henceforth referred to as BW). The goal of the UUPA is to provide legal certainty regarding land issues. The duality of legal norms found in the former land legislation has been superseded by the UUPA. Article 33 paragraph (3) of the Republic of Indonesia's 1945 Constitution states "that the earth, water, and natural resources contained therein, whose control is assigned to the Republic of Indonesia, and must be used for the greatest prosperity of the people." This is essentially what the UUPA's agrarian law aims to achieve. Furthermore, it is explicitly stated in the UUPA's General Explanation that the following are the goals of applying the UUPA as agricultural law:

Lay the foundations for the preparation of the National Agrarian Law which will be a tool to bring prosperity, happiness and justice to the State and the people, especially the peasants, in the framework of society fair and prosperous;

Laying the foundations for unity and simplicity in the land law;

Laying out the basics to provide legal certainty regarding land rights for the people as a whole.

Regarding the state's authority to regulate the land, water and natural resources for the benefit of the people as regulated in article 2 of the UUPA, among others are:

To regulate and organize the designation, use, supply and maintenance of the said earth, water and space;

Determine and regulate the legal relationships between people and earth, water and space;

Determine and regulate legal relationships between people and legal actions concerning earth, water and space.

In accordance with Article 33 paragraph (3) UUD 1945, the state has a duty to promote prosperity and enhance people's welfare and social justice, one of which is through national development. Based on the aforementioned article, it can be concluded that the role of the state is very important in addition to having the authority to control, regulate, and manage natural resources. Naturally, there is a need for legal regulation and protection of the rights attached to the land on which the building stands in addition to the swift national development in the agrarian sector, which takes many forms, including apartments, housing, buildings, malls, and government and private offices. Nonetheless, there are instances when a piece of property seems to be

vacant and has not been used by the owner for many years, rendering it essentially useless. Land abandonment in rural and urban regions is a foolish, unfair, and uneconomical conduct that violates the duties of rightsholders or parties that have acquired the foundation of land tenure. It also results in the loss of possibilities to realise the economic potential of the land. Neglecting land also makes it difficult to accomplish a number of development program goals, puts food security and the country's economy at risk, restricts the community's socioeconomic access to land, particularly for farmers, and undermines social harmony and justice. In essence, the state grants rightsholders the ability to grow, use, and maintain land or management rights. The welfare of the society, country, and state must be prioritised in addition to the wellbeing of the rightsholders. Naturally, when a person or legal body receives rights from the state, such rights are always accompanied with responsibilities outlined in the decree. One of them is the duty to properly cultivate, use, and preserve the land to which they are legally entitled. Therefore, if the rightsholder disregards his property, the LoGA has actually regulated the legal repercussions, which include the termination of legal ties, the elimination of the rights to the land in issue, and the confirmation that the land is directly under state control. UUPA serves as the foundation for the country's land policy, which has been populist from the start. According to Article 2 paragraph (2), the government, which has state legitimacy, has the power to:

Regulate and administer, designate, use, supply and maintain the earth, water and space;

Determine and regulate legal relationships between people and earth, water, and space;

Determine and regulate legal relationships between people and legal actions regarding earth, water and space.

The provisions of Article 2 as mentioned above are then used as the basis for the State to regulate the granting of land rights as referred to in Article 4 paragraph (1) and paragraph (2) of the UUPA which stipulates that:

On the basis of the right to control as referred to in Article 2 is determined The existence of various rights over the surface of the earth, which are called land, which can be given to and owned by people, either alone or together with other people as well as legal entities;

The rights to land as referred to in paragraph 1 of this article authorize the use of the land concerned,

as well as the body of the earth and water and the space thereon is only needed for interests directly related to the use of the land within the boundaries according to the Law. This law and other higher legal regulations.

The Government then issued Government Regulation No. 11 of 2010 concerning Control and Utilisation of Abandoned Land (henceforth referred to as PP No. 11/2010) regarding lands that are not functioned, processed, cultivated, or utilised in accordance with the circumstances, nature, and purpose of their rights or the basis for their control. This rule went into effect on January 22, 2010, the day it was issued in Jakarta. PP. 11/2010 was issued with the intention of optimising land usage and serving as a guide for the final control and use of abandoned land. According to Article 1 point 6 of the Head of the Land Agency Regulation No. 4 of 2010 concerning Procedures for Controlling Abandoned Land (henceforth referred to as Perka BPN No. 4/2010), "abandoned land" refers to land that has been granted rights by the state in the form of property rights, business use rights, building use rights, use rights, and management rights, or the basis of control over land that is not cultivated, used, or utilised in accordance with the circumstances or the nature. However, the definition of "abandoned land" must be separated from the meaning of "land that is indicated as abandoned," which is defined as "land that is allegedly not cultivated, not used, or not utilised in accordance with the circumstances or nature and purpose of granting rights or the basis for its control that has not been exercised." Research and identification [1]. Therefore, the distinction between the two is whether or not a piece of land that has not been used, cultivated, or otherwise has been identified and examined in accordance with the circumstances, nature, and purpose of granting the right. As a result, prior to the determination of a piece of land, it cannot be said that the land is abandoned; rather, it still has land status that indicates abandoned land. In actuality, the Local property Office has not completely enforced the time lag requirement, which is three (3) years after the issuing of the property rights, for the land parcels marked to be abandoned.

Research Problem

Based on the aforementioned background, this research will examine:

How is the legality of ownership of land rights that are indicated to be neglected?

What is the form of legal protection for owners of land rights who are indicated to be neglected?

Materials and Methods

A legal investigation was carried out in order to address legal issues in this study. Legal research is a legal science activity that is used to address current legal problems [5]. The normative juridical research approach was used in this study. Legal study carried out by looking at secondary data or library resources is referred to as the normative juridical research technique, or library law research [6]. Primary, secondary, and tertiary legal documents are included in this secondary data. The writers use the theories of legal protection and legal certainty to produce study findings that can be explained scientifically. The study starts by evaluating and analysing a number of land items that have been abandoned by their owners. Additionally, an examination is conducted to see if the government—in this example, the local Land Office—has taken any effort to rectify the situation. The presence of a third party in charge of the abandoned property is then examined in order to continue this inquiry. The researcher employs a case method to analyse the issue in relation to the presence of legal issues pertaining to the custody of land objects that are marked as abandoned. Secondary data was the kind of data utilised in this investigation. This research needs three (three) sources of legal materials—primary, secondary, and tertiary—in order to acquire reliable secondary data. Descriptive analysis, which reveals a problem, circumstance, or event as it is based on the research results in narrative form, is the analytical approach used in this study. This kind of descriptive analysis is used to identify issues, situations, or occurrences pertaining to the legitimacy of land rights ownership that are marked as disregarded. This method is also used to characterise remarks made by the sources, either verbally or in writing, that will be carefully investigated and examined in relation to the topics under study. In order to draw conclusions from the issue discussion, the study findings, which are grounded on the theories of legal certainty and legal protection, are then documented in a descriptive analysis.

Results & Discussion

Legality Ownership Rights to Land Indicated Displaced

Land is essential to human existence since it may be utilised for employment, housing, and burial. When managed properly, land and other agricultural resources may be utilised to enhance community welfare (public property) and offer benefits to the community (public services). Due to its many

facets, including social, economic, cultural, political, production, defence, and security aspects, land for human existence is very crucial. Given Indonesia's agricultural heritage, land plays a significant role in the lives of its people. In addition to serving as a place to dwell, land also gives people a means of subsistence [7]. The government works to make use of agricultural resources in order to regulate agricultural activities in a way that will boost the population's productivity and prosperity and guarantee that every Indonesian citizen can raise their own and their family's standard of living in accordance with human dignity. Article 33 paragraph (3) of the Republic of Indonesia's 1945 Constitution, which highlights that "Earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people [8] e," gives the government formal authority to regulate the land sector. The Basic Agrarian Law (UUPA) then strongly affirmed it. The provisions of Article 2 paragraph (2) of the UUPA, specifically the authority to regulate and organise the designation, use, supply, and maintenance of earth, water, and space, serve as the foundation for the government's authority to regulate the land sector, particularly with regard to lawful traffic and land use. Establish and govern the legal connections between individuals and the earth, water, and space as well as the legal connections between individuals and the earth, water, and space-related legal acts. In order to create an independent, sovereign, just, and successful Indonesian constitutional state as well as the maximum possible prosperity for the people in terms of nationality, welfare, and independence in society, the State uses the power derived from its right to rule. These provisions give the government the legal power to regulate land in the agricultural sector and to enforce laws pertaining to subjects, objects, and the legal relationships between these subjects and objects as long as they pertain to agricultural resources [9]. Additionally, "all rights to land have a social function" according to UUPA Article 6. Furthermore, as land is planned for the future and cannot be replenished, it is a permanent asset [10]. As a result, land acquisition and control are constant goals. However, despite the laws and regulations prohibiting land abandonment in accordance with Article 15 of the UUPA, which states explicitly that any person, legal entity, or agency that owns legal relationship with land has the obligation to maintain the land, including increasing its fertility and preventing its damage, by taking into account the

economically weak, there are still people who do not fully utilise the land because it is frequently observed that it is neglected. Thus, it is clear that land neglect is forbidden under national land law and cannot be justified. Article 27 letter a point 3 of the UUPA emphasises that ownership rights over property are terminated if the land belongs to the State due to neglect; as a result, the rightful owner is required to maintain the area in accordance with its designation.

One way to achieve the wellbeing of the Indonesian people is via the land itself. Therefore, the ability to be used as efficiently as possible is emphasised in the formulation of the national land legislation. property abandonment is a foolish, unprofitable, and unjust behaviour that also violates the duties owed by persons that have acquired the right to govern their property. In addition, neglect of land impedes the accomplishment of a number of development program goals, jeopardises national economic resilience and food security, prevents socioeconomic access to land for the community, particularly farmers, and disturbs social harmony and justice [11]. The unresolved buildup of abandoned land from the past is the current issue with abandoned land. Landowners who do not use their property or whose land use is inappropriate for submitting an application for control of their land rights are to blame for the presence of abandoned land. Land usage must be tailored to the conditions and rights of the land in order to be advantageous for both the wellbeing of

and contentment that has it, which also helps the state and the society. Article 1 Number 5 of Regulation of the Head of the National Land Agency of the Republic of Indonesia Number 4 of 2010 concerning Procedures for Controlling Abandoned Land (PERKA BPN 4/2010) makes it clear that "land which is allegedly not cultivated, not used or not utilised in accordance with the circumstances or nature and purpose of granting rights or the basis for control over which identification and research have not been carried out" is what is meant to be considered abandoned. The Head of the Regional Office conducts an inventory of designated abandoned lands in order to make conclusions about abandoned land. In the past, the Regional Office, the property Office, reports from other agencies, written reports from the community, or rights holders were the sources of information about identified abandoned property. The following items are listed as ignored in the land inventory:

Ownership, Business Use Rights, Building Use

Rights,

Use Rights, and Management Rights; and

Land that has obtained the basis of control from the competent official since the issuance of the permit / decree / basic letter of control of the land.

To support the smooth running of inventory activities, right holders are obliged to report the use and utilization of land in accordance with the decision to grant land rights or the basis for control over land from the authorized official. The inventory of indicated abandoned lands is carried out through:

Collecting data on lands that are indicated to be abandoned including textual data and spatial data:

Textual data including names and addresses of rights holders, numbers and dates of decisions to grant rights, numbers, dates, and expiration of certificates, land locations, land area, land use, indicated land area abandoned;

Spatial data is graphical data in the form of a map equipped with the coordinates of the position of the indicated land parcels.

The grouping of land data indicated as neglected as referred to in letter a, shall be carried out according to the regency / city area and the type of right / basis of control.

Data administration on the results of the inventory of abandoned land is carried out in an orderly manner in a database for reporting purposes, material for analysis, and determination of further actions.

The indicated abandoned land that has been inventoried will be followed up with identification and research on administrative aspects and field research. Identification and research on administrative aspects and field research include:

Ownership, Business Use Rights, Building Use Rights, and Use Rights starting 3 (Three) years from the issuance of the certificate; or

Land that has obtained a license / decision / basic letter of control over land from the competent official as of the end of the said control basis.

The Head of the Regional Office analyzes the results of the inventory to compile and set targets for identification and research on abandoned lands. The target is determined based on the consideration of how long the land has been abandoned and / or the area of land indicated as being abandoned. The Head of the Regional Office prepares data and information on indicated abandoned lands which will be used as targets for identification and research. Data and information preparation

activities include:

Verification of physical data and juridical data including types of rights and land positions.

Checking land books and / or documents and other documents to determine the presence of imposition, including data, plans, and stages of land use and utilization at the time of submission of rights;

Request information from right holders and other related parties, if the right holder / power / representative does not provide data and information or is not available or cannot be contacted, then identification and research will still be carried out in other ways to obtain data.

Carry out physical examinations in the form of boundary locations, use and utilization of land using existing technology;

Plotting the location of land use and utilization on a land map based on the results of physical inspection;

Making an analysis of the causes of abandoned land, among others, concerning the problems that cause abandoned land, conformity to the rights granted, and suitability to spatial planning;

Prepare reports on the results of identification and research.

The Head of the Regional Office must notify the right holder of the identification and examination to be performed in order to carry out the data and information preparation operations as planned. The Head of the Regional Office establishes Committee C, which is made up of representatives from the Regional Office, Land Office, Regional Government, and agencies involved in the designation of the land in question, once the identification and research data are judged adequate as material for decision-making on control efforts. The Committee, which is made up of representatives from the National Land Agency and affiliated organisations under the direction of the Head of the National Land Agency of the Republic of Indonesia, will identify and gather information about the land before designating ownership rights over it as abandoned land, deserted territory. Article 6 paragraph (1) of PP. 11/2010 states that identification and study are carried out beginning three years after the issue of land ownership rights. According to Government Regulation No. 11/2010 concerning Control and Utilisation of Abandoned Land, BPN is essentially required to identify land exhibiting signs of neglect when determining abandoned land. Based on the findings of the identification of abandoned land, the Head of the Regional Office issued three written warnings before, at the Head of the Regional Office's recommendation, the land in question was declared

abandoned by BPN RI and came under direct State control. In accordance with the rules of Article 8 paragraph (1) PP. 11/2010, the Head of the Regional Office of the National Land Agency (Kakanwil BPN)

notifies and concurrently issues the first written warning to rightsholders, instructing them to use the land in accordance with the circumstances, the nature and purpose of granting their rights, or the permit, decision, or letter that serves as the foundation for their control within one (1) month of the warning letter's issuance. Additionally, Article 8 paragraph (2) of PP No. 11/2010 states that the Head of the Regional Office of BPN will issue a second written warning within the same period as the first if the Right Holder fails to execute the warning. In accordance with Article 8 paragraph (3) PP No. 11/2010, Kakanwil BPN issued a third written warning with a duration equivalent to the second warning if the Right Holder failed to execute the second warning. In accordance with Article 8 paragraph (6) PP No. 11/2010, Kakanwil BPN suggests to the Head of the National Land Agency of the Republic of Indonesia (henceforth referred to as the Head of BPN) that the land in question be designated as abandoned land if the Rightsholder continues to disregard the third warning. In accordance with Article 9 paragraph (2) of PP No. 11 years 2010, if the Head of BPN finds that the land is abandoned.

It is suggested that the landowner is required to use the Head of the National property Agency (BPN) to declare the property as being under direct state control. Land rights are abolished and the legal connection between the holders of land rights and the land in question is severed as a result of the Head of BPN's decision of abandoned land. According to the above description, the Head of BPN may designate a parcel of land as abandoned land at the recommendation of the Head of Regional Office of BPN if the land is not cultivated, used, or utilised in accordance with the circumstances, nature, and purpose of granting the rights, and has been warned three times in a row. In addition, the legal link between the landowner and the property is dissolved, the land enters directly under state control, and the rights to the land are also deemed to be annulled.

Types of Legal Protection for Land Rights Owners That Are Designated to Be Forwarded Abandoned land that is purportedly not used, farmed, or used in line with the conditions, nature, and purpose of awarding rights, or the foundation for its management, is referred to as indicated land. Given that land is becoming more and more scarce

while demand for it is growing and that land is essential to a happy life and the success of the populace, the landowner has a duty to utilise the land actively. It is referred to as abandoned land if the land's responsibility is not fulfilled. Due to economic factors, land structure, or designations that are no longer in line with the circumstances, nature, and purpose of granting their rights, many lands have been purposefully or inadvertently abandoned by the owners of their land rights during its development.

Before designating a piece of land as abandoned, the government must conduct an identification and research procedure that considers the textual and geographical data of the area in question and examines the reasons for the abandonment. The physical state of the land is what the Customary Law defines as "abandoned land."

that is no man's land (abandoned by the right holder) and no longer productive. Legally speaking, the situation is unclear since it doesn't specify who has the power to decide if a piece of property is abandoned.

The granting of rights to compensation for land that is re-controlled by the state with compensation in the amount of the acquisition price paid by the individual in question, which also takes into account the costs incurred to build physical infrastructure on land designated as abandoned land, provides legal protection for owners of land rights that are indicated to be abandoned and designated as abandoned land. Additionally, it is important to emphasise the legal protection for owners of abandoned land rights with reference to the criterion for abandoned land so that it is evident which areas are considered abandoned, therefore giving the owners legal certainty. The aspects of abandoned land may be systematised and then compiled within the framework of the national land legislation to determine the requirements for abandoned land. The following components may be found on abandoned land: (1) There is an owner or holder of land rights (subject); (2) There is private land that is cultivated or not (object); (3) There is land that is identified as having returned to forest or whose fertility is not preserved; (4) The land becomes unproductive for a certain amount of time; (5) There is an intentional act of not using the land; and (6) The land status returns to customary rights or to the state. Knowing the fundamental components of abandoned land, the criteria or measure that can be

used to identify a piece of abandoned land is to re-explain it by interpreting the existing elements with an emphasis on the purpose of granting land rights. This way, if the land appears to be unmaintained, it is not in accordance with the purpose of granting its rights. Thus, the following requirements apply to abandoned land:

(1) There must be an owner or holder of land rights (subject); (2) There must be private land (HM, HGU, HGB, HP) that is poorly maintained so that the quality of soil fertility declines; (3) There must be a specific amount of time; and (4) There must be an act that purposefully does not use the land in accordance with the circumstances or nature and purpose of the right. Additionally, in accordance with PP 11/2010, it is decided that if the land in question has been designated as abandoned land, the legal relationship between the holder of the land rights and the land in question is broken, the rights to the land in question are declared abolished, and the land becomes directly controlled by the state. Normatively, it is acceptable and lawful in Indonesia to abolish land rights, sever the legal connection between the landowner and their property, and transfer land rights to other parties due to neglected or abandoned land. The UUPA's Articles 27, 34, and 40 govern this issue; however, the LoGA does not specify how long a piece of property must be uncultivated, unused, or unutilised in order for it to be classified as abandoned land. A period of five (five) years is specified in Article 32 paragraph 2 of Government Regulation Number 24 of 1997 Governing Land Registration (henceforth referred to as PP 24/1997). Article 32 paragraph 2 of PP 24/1997 states that if a legal parcel has been legally issued a certificate in the name of the person or legal entity that purchases the land in good faith and actually controls it, the other party who believes he has rights to the land may again demand the exercise of this right if, within five years of the certificate's issuance, neither the certificate holder nor the Head of the Land Office in question have filed a written objection with the court regarding control of the land or the certificate's issuance. A period of 20 (twenty) years is specified in Article 24 paragraph 2 of PP 24/1997 for determining if land is abandoned. Article 24 paragraph 2 of PP 24/1997 states that if the proof of evidence for the application for a certificate of land title is no longer fully available, the evidentiary tools may be based on the fact that the physical control over the land parcel in question is either completely or partially unavailable for 20 (twenty) consecutive years or longer by the applicant for a certificate of land rights, provided that the aforementioned tenure is

carried out in good faith and openly by the person in question as having the right to the land, is supported by the testimony of a reliable witness, and the control is not contested by the village or *kelurahan* in question, the customary law community, or other parties. Article 1963 BW establishes 20 (twenty) and 30 (thirty) years as the time frames for determining whether land is abandoned. Article 1963 BW states that anybody who gets an immovable item (land) in good faith and based on a valid title acquires property rights thereto by expiry with a twenty-year tenure. Whoever governs it in good faith for thirty years has property rights without having to prove his claims? The Supreme Court of the Republic of Indonesia's ruling, Number 210 / K / Sip / 1955, issued January 10, 1957, establishes a 25-year timeframe for determining whether land is abandoned. The lawsuit was deemed unacceptable in accordance with the Supreme Mahamah of the Republic of Indonesia's Decision, dated January 10, 1957, Number 210 / K / Sip / 1955, because the plaintiffs must be considered to have lost their rights (*rechtsverwerking*) by neglecting their fields for up to 25 years.

Conclusions

Right holders are required to report the use and utilisation of land in line with the decision to award land rights or the basis for control over land from the authorised official in order to facilitate the efficient operation of inventory operations. The identified abandoned land that has been inventoried will be subjected to field study, administrative research, and identification. In order to gather and establish goals for the identification and study of abandoned lands, the Head of the Regional Office examines the inventory's findings. The length of time the land has been abandoned and/or the extent of land designated as abandoned are taken into account when determining the objective. According to Government Regulation No. 11/2010 concerning Control and Utilisation of Abandoned Land, BPN is essentially required to identify land exhibiting signs of neglect when determining abandoned land. Based on the above description, it is clear that the Head of BPN will designate a piece of land as abandoned land at the recommendation of the Head of Regional Office of BPN if the land is not cultivated, used, or utilised in accordance with the circumstances, nature, and purpose of granting the rights, and has been warned three times in a row. In addition, the legal link between the landowner and the property is dissolved, the land enters directly under state control, and the rights to the land are also deemed to be annulled. The provision of rights

to compensation for land that is re-controlled by the state with compensation in the amount of the acquisition price paid by the individual in question, which also takes into account the costs incurred to build physical infrastructure on land designated as abandoned land, provides legal protection for owners of land rights that are indicated to have been abandoned and designated as abandoned land. According to the provisions of Articles 27, 34, and 40 of the UUPA, it is normally acceptable and lawful in Indonesia to abolish land rights, break the legal connection between the rights holder and their land, and transfer land rights to other parties because the land is neglected or abandoned. The availability of land is becoming more scarce, yet the demand for land is growing, as is the significance of land for the nation's and state's well-being. A parcel of land that has been legally issued a certificate in the name of the person or legal entity that actually controls it and purchases it in good faith should also be required to maintain and care for it in accordance with its designation in order to prevent it from becoming land that is marked as abandoned.

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