

ABSTRAK

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ANALISIS YURIDIS PENGADAAN TANAH DAN PENETAPAN GANTI RUGI BAGI PEMBANGUNAN JALAN TOL BECAKAYU SEKSI IA (RUTE D.I. PANJAITAN—CIPINANG MELAYU) DI RT 012/RW 006 KELURAHAN CIPINANG BESAR SELATAN

(xv + 116 halaman; 3 gambar; 3 tabel; 6 lampiran)

Proses pengadaan tanah serta penetapan ganti ruginya seringkali menimbulkan konflik seperti yang terjadi di RT 012/RW 006 Kelurahan Cipinang Besar Selatan untuk pembangunan Tol Becakayu Seksi 1A yang akan penulis bahas dalam penelitian ini. Penelitian ini merupakan penelitian normatif empiris bersifat deskriptif dengan data sekunder. Pengumpulan data dilakukan dengan menggunakan pendekatan perundang-undangan dan pendekatan kasus dengan mewawancarai langsung Panitia Pelaksana Pengadaan Tanah serta Warga RT 012/RW 006 yang terkena imbas pengadaan tanah Tol Becakayu. Data yang diperoleh dianalisis dengan menggunakan pendekatan kualitatif dengan penarikan kesimpulan menggunakan logika deduktif. Dari hasil penelitian dapat disimpulkan bahwa proses pengadaan tanah Tol Becakayu dari proses perencanaan, persiapan, pelaksanaan, dan penyerahan hasil sudah dilaksanakan dengan baik sesuai UU Nomor 2 Tahun 2012 tentang Pengadaan Tanah, namun untuk proses ganti kerugian salah satu bidang tanah masih terhambat dikarenakan adanya sengketa sehingga diberikan ganti rugi secara sepihak melalui penitipan ganti rugi di pengadilan (konsinyasi). Hasil dari penelitian ini membuktikan bahwa asas-asas perlindungan hukum terhadap Pihak yang Berhak belum terlaksana dengan baik.

Referensi: 45 (1991-2020)

Kata Kunci: Pengadaan Tanah, Jalan Tol Becakayu, Penetapan Ganti Rugi

ABSTRACT

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JURIDICAL ANALYSIS OF LAND PROCUREMENT AND DETERMINATION OF COMPENSATION FOR THE BECAKAYU TOLL ROAD CONSTRUCTION SECTION 1A ROUTE D.I. PANJAITAN—CIPINANG MELAYU IN RT 012 / RW 006 KELURAHAN CIPINANG BESAR SELATAN

(xv + 116 pages; 2 images; 4 tables; 6 attachments)

The land acquisition process and the determination of compensation often create conflicts, such as what happened in RT 012 / RW 006 Kelurahan Cipinang Besar Selatan for the construction of the Becakayu Toll Road Section 1A which the author will discuss in this study. This research is a descriptive normative empirical study with secondary data. Data was collected using a statutory approach and a case approach by directly interviewing the Land Acquisition Committee and residents of RT 012 / RW 006 who were affected by the procurement of the Becakayu Toll Road. The data obtained were analyzed using a qualitative approach with conclusions using deductive logic. From the results of the research, it can be concluded that the process of land acquisition for the Becakayu Toll Road from the planning, preparation, implementation, and submission of the results has been carried out properly according to Law Number 2 of 2012 concerning Land Acquisition, but for the compensation process for one of the land, compensation are still hampered due to a dispute. so that compensation is given unilaterally through the deposit of compensation in court (consignment). The results of this study prove that the principles of legal protection against Eligible Parties have not been implemented properly.

Reference: 45 (1991-2020)

Keywords: Land Procurement, Becakayu Toll Road, Determination of Compensation