

ABSTRACT

Tashya Lauwda (01051170037)

**TINJAUAN YURIDIS PEMBERIAN GANTI RUGI PEMBANGUNAN
WADUK JATIGEDE DALAM PUTUSAN NOMOR
62/PDT.G.S/2017/PD.Smd**

(x + 79 pages)

Regarding compensation in civil cases that occur in Indonesia, it is often difficult to get compensation for parties who have been injured by the authorities. Losses that are often experienced are in the form of material losses and immaterial losses. Of course, these two types of losses have different causes and effects. Compensation for damages that will be discussed in the discussion this time is about compensation for purity arising from illegal acts in Indonesia. Losses that arise as a result of an act must meet several conditions such as an act that is positive or negative, the act is an act that is against the law, there is a loss, there is a causal relationship between an act against the law and a loss and an error. On this occasion, the author will discuss the losses caused by the authorities related to the construction of public facilities in Sentence Number 62 / PDT.GS / 2017 / PN.Smd. Where there is a defendant who did not get compensation which should have been due by not being registered as a resident of the area where the Jatigede Reservoir was inundated. As a result of this, the defendant did not receive a registration form with a yellow background so that the defendant could not apply for compensation of Rp. 29,360,192, - (twenty nine million three hundred sixty thousand one hundred and ninety-two rupiah). The purpose of the discussion of this problem, is to find out the cause of the loss suffered by the defendant and to see the causal element of this incident in terms of the elements of illegal acts. The method used in this research is normative legal research which examines the facts and quality of legal norms and refers to legal rules. Because the author uses this type of normative legal research, secondary data is used with literature study data collection techniques. The author also uses an approach to legal cases that have occurred or have occurred in the community. From the results of the research conducted, the author has obtained an analysis in which a loss was experienced by the defendant in Sentence Number 62 / PDT.GS / 2017 / PN.Smd. was due to the negligence of the party who did not record or register the respondent's house as a resident's house in the Jatigede Reservoir inundation area. It was stated that the committee had committed an unlawful act because it neglected to not record the defendant and caused the defendant to lose money by not getting compensation. In doing this, surely there must be a procedure or mechanism in place, but of course humans are not free from mistakes. From existing research, the committee should be more careful when collecting data so as not to cause harm to other parties and to be responsible as the guilty party.

References: 35 (1960 – 2020)

Keywords: Compensation, Reservoir