

ABSTRACT

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JUDICIAL ANALYSIS OF COMPENSATION IN LAND ACQUISITION FOR PUBLIC DEVELOPMENT ON CONSTRUCTION OF WADUK JATIGEDE (CASE STUDY OF SUMEDANG DISTRICT COURT VERDICT NUMBER 456/PDT.G.S/2018/PN SMD)

(xi + 91 Pages)

In the current era, the availability of vacant land is dwindling, this is due to the fact that Indonesia is one of the most populous country in the world, and the number grows every year, hence the scarcity of land. The government in carrying out development for the public interest inevitably has to carry out land acquisitions for land owned by the people, and according to the Law concerning Basic Agrarian Principles the people are entitled to compensation. Problems often arises between the parties involved, ranging from differences of opinion on the amount of compensation given to the non-payment of compensation to the entitled party, as seen on the case of the land acquisition for the construction of Waduk Jatigede, therefore this topic is raised as a thesis using a legal approach and a case study. The case as experienced by Mrs. Ipin in Verdict Number 456/Pdt.G.S/2018/PN Smd, where the Government as the Defendent did not provide compensation in the form of cash for a replacement house which had become the right of Mrs. Ipin. The research used a normative juridical research method or a literature study, using secondary data sources, and the results of of the research proves that the Defendant had indeed committed an unlawful act against the Plaintiff and was sentenced to provide the rightful compensation owed. This study aims to protect the rights of the people affected by land acquisitions for public development according to the applicable laws and regulations in Indonesia.

Keywords: Land Acquisition, Compensation, Unlawful Act