

LEGAL PROBLEMS IN THE MECHANISM FOR VILLAGE LAND REPLACEMENT IN LAND ACQUISITION

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Abstract

Land acquisition for various purposes often overlaps with village treasury land, giving rise to legal issues in the allocation mechanism. This study aims to assist in legal regulation and analyze the issues arising in the allocation process for village land in land acquisition. The method used is a normative juridical approach by examining laws, implementing regulations, and related legal documents. The results show that although land allocation can be normatively in the form of cash or replacement land, its implementation in the field is fraught with obstacles: ranging from unequal replacement value, complicated administrative procedures, to poor village understanding of the consignment mechanism. The unpreparedness of village officials and the absence of compensation standards that consider non-physical aspects cause long-term losses for villages. This study concludes that a more participatory, transparent, and contextual legal approach is needed to ensure justice and protect village rights to their treasury land.

Keywords: Village Treasury Land; Land Acquisition; Compensation; Ruislag

A. INTRODUCTION

Land acquisition for public purposes is a crucial component of national infrastructure development, such as toll roads, airports, and other public facilities. In practice, land acquisition must be accompanied by adequate compensation for those who lose their land rights. One form of compensation stipulated in regulations is the provision of replacement land, particularly in the case of village land. However, implementing the mechanism for replacing village land faces complex legal and administrative challenges.

Normatively, the form of compensation is regulated in Law No. 2 of 2012 concerning Land Acquisition for Development in the Public Interest, which includes compensation in the form of money, replacement land, relocation, share ownership, or other forms agreed upon by the parties. This provision is reinforced by Law No. 6 of 2014 concerning Villages and Regulation of the Minister of Home Affairs No. 1 of 2016 concerning Village Asset Management, which specifically regulates village authority over village treasury land. Replacement land is considered an ideal form of compensation because it not only has economic value but can also maintain the sustainability of the village's social, cultural, and economic functions.

Previous studies have shown that replacing village land in land acquisition for public purposes often causes problems. One study found that complicated and time-consuming administrative processes, such as ministry verification and gubernatorial approval, prevent villages from receiving replacement land promptly.¹ Another study found that the value of replacement land is often based solely on the Taxable Object Sales Value (NJOP), which does not reflect the actual market price, leaving villages feeling disadvantaged.² Furthermore, villagers often do not understand how land appraisal teams work, leading to disappointment when compensation does not meet expectations.³

Another problem arises when the replacement land is not ready, and compensation must be deposited with the court (consignment). Research suggests that this method is unsuitable for village land because villages are

¹ Ahmad Raji Hidayat, Salim Salim, and Djumardin Djumardin, “Mekanisme Pelaksanaan Dan Penetapan Ganti Rugi Dalam Pengadaan Tanah Untuk Kepentingan Umum,” *Kertha Semaya: Journal Ilmu Hukum* 10, no. 3 (February 12, 2022): 656, doi:10.24843/KS.2022.v10.i03.p15.

² Muhammad Jibril, Arvel Mulia Pratama, and Jinan Raidangi, “Konsep Penggabungan Antara NJOP Dan Nilai Pasar Dalam Pengadaan Tanah Untuk Kepentingan Umum,” *BHUMI: Jurnal Agraria Dan Pertanahan* 6, no. 1 (May 15, 2020), doi:10.31292/jb.v6i1.424.

³ Dulmuzid Dulmuzid, Sukaria Sinulingga, and Sugiharto Pujangkoro, “Analisi Penetapan Nilai Pengganti Wajar Dalam Pengadaan Tanah Untuk Kepentingan Umum Di Kota Lhokseumawe (Studi Kasus Pembuatan Jalur Rel Kereta Api Di Kecamatan Muara Dua Kota Lhokseumawe),” *BALANCE: Economic, Business, Management and Accounting Journal* 16, no. 2 (July 28, 2019), doi:10.30651/blc.v16i2.3131.

public legal entities, not individuals.⁴ Studies also indicate that the legal regulations governing village land often overlap between administrative and civil law, complicating the dispute resolution process.⁵ Several studies have also revealed that conflict within the community arises from a lack of clarity regarding the location of the replacement land and a lack of village community involvement in the land acquisition process. Furthermore, the lack of information and community participation in this process leads to distrust of the government and resistance to its decisions.⁶

Previous studies have typically addressed only one aspect of the village's land restitution, such as land prices, community involvement, or conflicts on the ground. In contrast, this study attempts to examine the issue holistically. It not only examines the legal regulations but also examines the realities on the ground. It also highlights that villages are public legal institutions and should therefore be treated differently from individuals, for example, in cases of consignment compensation. Furthermore, this study examines how the roles of villages, governors, ministries, and the National Land Agency (BPN) are interconnected and sometimes overlapping.

This study has two main objectives. First, to examine how legal provisions govern the mechanism for replacing village land in the land acquisition process for public purposes. This analysis includes the forms of compensation that are legally valid, as well as the division of authority between the parties involved, such as the village government, the governor, relevant ministries, and the National Land Agency (BPN). Secondly, the study aims to pinpoint diverse legal

⁴ Suyanto Suyanto, “Akibat Hukum Penitipan Ganti Kerugian Uang di Pengadilan Negeri Dalam Pengadaan Tanah Untuk Kepentingan Umum Terhadap Hak Atas Tanah,” *Jurnal Pro Hukum: Jurnal Penelitian Bidang Hukum Universitas Gresik* 8, no. 1 (June 29, 2019): 16–39, doi:10.55129/jph.v8i1.858.

⁵ Urip Santoso, “Penyelesaian Sengketa Dalam Pengadaan Tanah Untuk Kepentingan Umum,” *Perspektif* 21, no. 3 (September 30, 2016): 188, doi:10.30742/perspektif.v21i3.588.

⁶ Bustam Bustam, Syahrudin Nawir, and Hamza Baharuddin, “Konflik Pengadaan Tanah Untuk Kepentingan Umum Di Kabupaten Maros,” *Journal of Lex Theory (JLT)* 1, no. 1 (October 14, 2020): 162–80, doi:10.52103/jlt.v1i1.206.

concerns that emerge during its execution, including challenges in locating comparable replacement land, intricate and lengthy administrative procedures, the submission of compensation (consignment) in court, and disparities in land valuation. This study also aims to examine how these issues affect legal certainty and the protection of village governments' rights as owners of village treasury land.

B. RESEARCH METHOD

This research uses a normative legal research method, namely an approach carried out by reviewing and analyzing laws and regulations, legal principles, and doctrines related to the mechanism of village land replacement in the process of land acquisition for public interest. The main focus of this research is on positive legal norms contained in Law No. 2 of 2012 concerning Land Acquisition for Development in the Public Interest, Law No. 6 of 2014 concerning Villages, and Regulation of the Minister of Home Affairs No. 1 of 2016 concerning Village Asset Management. In addition to these primary legal materials, this research also uses secondary legal materials, such as legal literature, scientific journals, previous research results, and other relevant legal documents. This normative approach aims to systematically explain how legal provisions regulate the mechanism of village land replacement, identify legal problems that arise in its implementation, and analyze its impact on legal certainty and the protection of village rights as subjects of public law.

C. RESULTS AND DISCUSSION

1. Legal Provisions Relating to Village Land Replacement Mechanisms in Land Acquisition

The primary legal basis for acquiring land in the public interest is Law Number 2 of 2012. This law regulates all stages of the process, from planning and preparation to implementation and delivery of land acquisition results. This law mandates the fair and equitable provision of compensation to the entitled

parties in the context of village land. Compensation can be in the form of money, replacement land, or other agreed-upon forms, with an objective and transparent assessment. The goal is to ensure that the development process does not negatively impact the community, especially villagers who lose their land.

Government Regulation Number 19 of 2021, which was later updated through Government Regulation Number 39 of 2023, clarifies how village-owned land can be used for development. This regulation states that if village land is used for a government project, replacement land of equivalent value must be provided. Articles 62 and 63 of the Government Regulation emphasize that the provision of replacement land is a prerequisite that must be met before the development process begins. This is crucial to ensure that village land is not lost and that villages retain assets for long-term development.

To ensure that the village land replacement process is carried out according to regulations, the Ministry of Home Affairs issued Regulation No. 1 of 2016 concerning Village Asset Management. This regulation provides technical guidelines for how village land exchanges are carried out. One important principle stipulated is that the release of village land must be carried out through a village deliberation and obtain permission from the regent or governor. In the land exchange process, villages must not be disadvantaged in terms of area, economic value, or accessibility of the replacement land.

The following are the important stages in replacing village treasury land along with the legal basis.

Table 1. Stages in Village Treasury Land Replacement and Their Legal Basis

Stages	Authority	Duration	Regulation
Village deliberation proposal & permit application	Village Head, BPD, Regent	-	Minister of Home Affairs Regulation No. 1/2016 Article 26, Article 28

Land appraisal and replacement search	Related committees/agencies	-	Law 2/2012 Articles 34–39, Minister of Home Affairs Regulation No. 1/2016 Article 32
Determination and approval of replacement land	Governor/Regent/Village Head	-	Minister of Home Affairs Regulation No. 1/2016 Articles 25–29, Articles 34–37
Assignment & release of rights	Village apparatus/agency	-	Minister of Home Affairs Regulation No. 1/2016 Articles 30–36; Law 2/2012 Articles 42–44
Provision of replacement land	Relevant agencies	6 months	Minister of Home Affairs Regulation No. 1/2016 Article 31, Article 33
Final documentation and reporting	All parties	-	Minister of Home Affairs Regulation No. 1/2016 Article 41, PP 19/2021 Articles 62, 63

Source: Adapted from Law No. 2 of 2012, Minister of Home Affairs Regulation No. 1 of 2016, and Government Regulation No. 19 of 2021.

Table 1 shows that most stages in the process of replacing village treasury land do not have a clear time limit (duration) as stipulated in the applicable regulations. Only one stage, namely the provision of replacement land, has a maximum time limit of six months as stipulated in Article 31 and Article 33 of the Minister of Home Affairs Regulation No. 1 of 2016. The unclear duration of other stages—from the village deliberation proposal and permit application to the land assessment to the transfer of rights and final reporting—indicates that the regulations emphasize procedural aspects and administrative authority rather than certainty of implementation time.

The lack of a definitive timeline has the potential to create legal and administrative uncertainty in implementation on the ground. Each stage can proceed without a clear timeline, depending on the internal dynamics of the village government and coordination between the agencies involved. This situation opens the door to prolonged delays in replacing village land, whether due to bureaucratic factors, administrative delays, or a lack of technical capacity at the village level. In the context of village asset management, this uncertainty

in timing has the potential to hinder the reuse of replacement assets, delay the certification process, and disrupt village development planning.

Furthermore, the lack of a clear timeline also weakens accountability and oversight mechanisms for land replacement implementation. Regulations should not only define who is authorized and how procedures are carried out but also establish operational timelines to ensure efficiency and legal certainty. Therefore, revisions or additional technical guidelines from the central government are needed that establish ideal timelines for each stage of the process to prevent stagnation and strengthen transparent and equitable village asset governance.

In practice, the process of replacing village land reveals numerous unresolved technical and substantial issues, particularly regarding the land replacement mechanism. Furthermore, much village land remains uncertified, creating legal uncertainty. The certification process by the National Land Agency is crucial to provide legal protection for village assets and prevent potential future conflicts.

One fundamental issue that frequently arises is the form of compensation. Ideally, replacement in the form of equivalent land is preferred so that villages retain sustainable productive assets. However, the limited availability of land with equivalent value and function makes this option difficult to implement. Instead, cash compensation has become a more common option. Sadly, the village government has no proper technical standards for calculating, distributing, or managing cash compensation. This uncertainty in implementation may lead to long-term losses for villages, as they could lose strategic assets without any replacement.⁷

⁷ Joko Wahyono, “Implementasi Prinsip Kepentingan Umum Dalam Pengadaan Lahan Tol Semarang-Demak” (Thesis, Universitas Islam Sultan Agung, 2025).

Furthermore, the administrative procedures for releasing and replacing village land are complex. This process requires various stages and documents, ranging from village deliberations and approval from the regent/mayor to recommendations from the Ministry of Home Affairs. Many villages, particularly those in rural areas with limited human resources and institutional capacity, struggle to meet these requirements. The process is often hampered by bureaucracy or even proceeds without complying with applicable formal provisions. A study in Tiron Village, Kediri Regency, revealed that land acquisition is often not supported by a sufficient understanding of regulations at the village level, thus risking legal issues later on.⁸ In Sawahan Village, Boyolali Regency, the land release process for road construction lacks adequate documentation, and no evaluation mechanism exists to assess the adequacy of compensation. Compensation is provided in cash, with uncertainty as to whether this value truly equates to the function and socio-economic value of the land relinquished.⁹

Another equally important issue is the protection of rights and justice. Compensation provided to affected villages or communities generally only considers physical losses such as land, buildings, and crops. However, the loss of village land has broader implications, affecting social, cultural, and even local economic aspects. Village land is often a vital part of a community's social ecosystem, serving as a source of income, a space for social activities, and a symbol of village sovereignty. However, this non-physical dimension is often overlooked in land replacement schemes. Consequently, the provided

⁸ Fitri Lailatul Fauziyah, “Implementasi PP No. 19 Tahun 2021 Tentang Pengadaan Tanah Bagi Pembangunan Untuk Kepentingan Umum (Studi Di Desa Tiron, Kec. Banyakan, Kab. Kediri),” *Dinamika: Jurnal Ilmu Hukum* 31, no. 1 (2025): 1–13.

⁹ Taufik Adhi Wicaksono, “Pelepasan Dan Pengadaan Tanah Untuk Kepentingan Umum Tanah Kas Desa Sawahan Kecamatan Ngemplak Kabupaten Boyolali Dalam Rangka Pembuatan Jalan” 8, no. 2 (2024): 1–11.

compensation falls short of restoring the socio-economic conditions that land relinquishment has disrupted.

Furthermore, poorly planned village land replacement also negatively impacts the social and economic stability of communities. Often, even though compensation has been distributed, community welfare has not improved, and instead, conflicts arise between residents due to a lack of transparency or unfair distribution of information. In the absence of post-replacement assistance, compensation funds frequently exhaust without providing a clear path for development. Furthermore, the loss of land as a productive asset causes villages to lose the long-term economic potential that previously supported the sustainability of community activities.

This situation indicates that a purely administrative approach is insufficient to address the complex issues surrounding village land replacement. A policy framework is needed that is more responsive to local social conditions and ensures the sustainability of village functions. This includes standardizing monetary compensation, simplifying administrative procedures, recognizing non-physical losses, and providing long-term support so that compensation funds serve not only as asset replacement but also as a driver of sustainable village growth.

The main findings from these studies can be summarized in the following table.

Table 2. Summary of Village Treasury Land Replacement Problems

Mechanism Aspect	Key Findings
Land Replacement vs. Money	Replacement land is difficult to acquire, so cash compensation is more often used. However, there are no adequate technical standards for providing cash compensation.
Administrative Procedures	Bureaucracy and human resources frequently hinder the complicated, paperwork-intensive process of releasing and replacing village land.
Protection of Rights and	Compensation focuses more on physical losses. Non-

Justice	physical aspects such as the social, cultural, and economic aspects of the village are often overlooked.
Social and Economic Impact	Village land restitution has not been able to improve community welfare. In many cases, it has triggered conflict, injustice, and economic decline.

Source: Compiled from research analysis related to village treasury land replacement.

The table makes it clear that the issue of village land compensation has many interrelated dimensions. The solution cannot be based solely on legal regulations; it must include a participatory, transparent, and contextual approach. Implemented policies must position villages as the primary actors, with the right to participate in determining the form, value, and management of compensation.

To this end, a number of strategic steps need to be implemented, including strengthening the legal and administrative capacity of village officials, promoting transparency and community involvement in deliberations, establishing monetary compensation standards that take into account non-physical impacts, and providing long-term support to ensure that compensation funds are truly capable of supporting sustainable village development.

2. Legal Issues in the Implementation of Village Land Replacement

a. Incompatibility in the Value of Replacement Land

Acquisition of replacement land for village land can be done through two mechanisms: first, through direct exchange (*ruislag*), where the released village land is replaced directly by the agency in need; second, through the provision of compensation in the form of money if it is difficult to find replacement land, where the village is responsible for finding and procuring the replacement land itself. In practice, the value of the replacement land must be equivalent to the original land, both in terms of area, productivity, and accessibility, and ideally it should be located in the same village or sub-district. This process must follow

legal, administrative, and certification procedures, including obtaining approval from the governor.

In the process of acquiring replacement land, problems arise related to the discrepancy in its value. This discrepancy is evident in the fact that the compensation received by the village government in the form of money is often not enough to acquire new land of equivalent value to the land relinquished. This phenomenon occurs because the value of the money received does not keep pace with the ever-increasing fluctuations in land market prices. For example, in Palihan and Glagah Villages, Kulon Progo, Yogyakarta, the new land purchased with compensation money is located further away and is of lower quality. This leads to a decrease in village income and the loss of the land's socio-economic function.¹⁰ Meanwhile, in Sindutan Village, the replacement land is uncertified and has been disputed, making it a passive asset that cannot be optimally utilized.¹¹

A similar phenomenon was also found in research, which stated that although the land had been replaced administratively, the economic benefits fell far short of expectations. In fact, village officials felt they had lost a source of income that had previously been derived from village treasury land, particularly that used as a productive asset. Thus, although formal compensation procedures had been implemented, the essence of "fair and just compensation" was not achieved because the replacement value was only calculated nominally, not based on the land's usefulness and sustainable function.¹²

¹⁰ Luthfi Adela Saraswati, "Pengadaan Tanah Istimewa (Studi Kasus Tanah Pengganti Tanah Desa Yang Terdampak Pengadaan Tanah Bandara Yogyakarta International Airport, Jalur Kereta Api, Dan Relokasi Masyarakat Terdampak)" (Skripsi, Sekolah Tinggi Pertanahan Yogyakarta, 2024).

¹¹ *Ibid.*

¹² Vella Ade Sayita, I Gusti Ayu Gangga Santi Dewi, and Agung Basuki Prasetyo, "Akibat Hukum Pelepasan Tanah Kas Desa Terhadap Gaji Perangkat Desa Yang Terkena Proyek Pembangunan Jalan Tol Semarang-Surakarta Di Kecamatan Susukan Kabupaten Semarang," *Diponegoro Law Journal* 11, no. 4 (October 30, 2022), doi:10.14710/dlj.2022.34958.

This situation is exacerbated by the administrative and technical burden placed entirely on village governments. When the agency requiring the land is unable to provide replacement land directly, the responsibility is shifted to the village. Yet, many village officials lack the capacity to understand procurement procedures, appraisals, and other legal and technical aspects of land transactions.¹³

This issue of value mismatch demonstrates that village land replacement cannot be viewed solely from an administrative or financial perspective but must also consider functional value, sustainability, and the long-term interests of the village. Ignoring these aspects leads not to fair compensation, but rather to a shift in burdens and structural losses for the village government. Unequal replacement land will lead to a decline in village fiscal capacity, weaken village independence, and ultimately widen the gap between national development and local livelihoods.

b. Land exchange issues

Village land swaps, or ruislag, essentially involve replacing relinquished village land with land of comparable value and function. Ideally, this process is the best solution, as it eliminates the need for cash, which is prone to misappropriation, and ensures the village retains productive assets to support its functions. However, in practice, ruislag implementation often faces various challenges.

When implemented effectively, ruislag can provide legal certainty and long-term benefits to villages. This benefit is evident in the implementation of village land swaps for a toll road project in Susukan District, Semarang Regency, where the company replaced village land with new land of similar value and

¹³ Rahayu Utami Styarningsih et al., “Implementasi Pengelolaan Kekayaan Milik Desa Sebagaimana Yang Diamanatkan Dalam Pasal 77 Ayat (1) Undang-Undang Nomor 6 Tahun 2014,” *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam* 5, no. 2 (December 7, 2023): 2205–24, doi:10.37680/almanhaj.v5i2.3478.

proximity. However, even though the land was replaced with a suitable size and location, village officials still felt disadvantaged because the yield from the replacement land was not comparable to the previous income earned from the original land. This situation demonstrates that land swaps involve more than just physical and administrative aspects but also tangible economic benefits that can be felt by the village.¹⁴

One frequently encountered problem is the unpreparedness of village officials in understanding and implementing land acquisition procedures. Many villages lack the human resources or legal representation to manage this process independently. External agencies often prepare proposals for village land release and even exchange documents, as the villages lack the necessary skills.¹⁵ Furthermore, the absence of clear standard operating procedures (SOPs) from local or central governments prolongs processing times, causes sellers of replacement land to cancel due to lengthy processes, and creates opportunities for price conflicts and discrepancies in field verification results.¹⁶

Carrying out village land swaps without the involvement and approval of the wider community presents another problem. When decisions are made solely by village officials and developers, without consultation with residents, the social legitimacy of land swaps is weakened and prone to conflict. In one case, in Telukan Village, the implementation of a land swap sparked protests from residents due to alleged land price manipulation between the village government and the developer. The community was not involved in determining the exchange rate and felt they had lost a village asset that had

¹⁴ Sayita, Dewi, and Prasetyo, “Akibat Hukum Pelepasan Tanah Kas Desa Terhadap Gaji Perangkat Desa Yang Terkena Proyek Pembangunan Jalan Tol Semarang-Surakarta Di Kecamatan Susukan Kabupaten Semarang.”

¹⁵ Rangga Agung Chrisnawati, Sri Kistiyah, and Priyo Katon Prasetyo, “Pemberian Ganti Kerugian Tanah Kas Desa Untuk Jalan Tol Solo Mantingan II: Problematika Pelaksanaannya,” *Tunas Agraria* 1, no. 1 (2018), doi:10.31292/jta.v1i1.4.

¹⁶ Ivan Novian Janitra, “Peran Notaris Dan Perlindungan Hukum Dalam Perjanjian Jual Beli Bekas Tanah Kas Desa Pandowoharjo Sleman,” *Jurnal Lex Renaissance* 5, no. 2 (April 1, 2020): 458–74, doi:10.20885/JLR.vol5.iss2.art13.

been a source of collective livelihood.¹⁷ This conflict demonstrates the village government's failure to safeguard public interest and transparency in asset management.

Although village land swaps often face challenges, there are successful practices that can serve as examples, such as in Sukoharjo Regency during the eastern ring road project. The *ruislag* process there was structured, with coordination between the local government, technical agencies, the National Land Agency (BPN), and the village government. It also included outreach to residents who owned the replacement land to ensure transparency and smoothness. Regulatory support and legal understanding also facilitated the smooth implementation, despite delays due to the pandemic.¹⁸ Conversely, when land acquisition only offers compensation without providing replacement land, it shifts the entire responsibility onto the village. Often, village heads purchase land without proper procedures, resulting in legal, location, and utility issues.

More than just an administrative issue, the problems in village land reclamation are rooted in the lack of strong village asset governance, weak village institutional capacity, and suboptimal policy support from local governments. Yet, replacing village treasury land is not simply about replacing vacant land; it also concerns the sustainability of village income, social stability, and village sovereignty over local resources. In this context, involving the community and village institutions such as the Village Consultative Body (BPD) in the selection process for replacement land is a crucial step in safeguarding village interests.

¹⁷ Heri Priyatmoko, “Konflik Tanah Bengkok Di Pedesaan Jawa Kontemporer,” *BHUMI: Jurnal Agraria Dan Pertanahan* 3, no. 1 (July 14, 2017): 35, doi:10.31292/jb.v3i1.225.

¹⁸ Didik Gunawan Suharto and Aisyah Nur’ayni, “Pelaksanaan Tukar Guling Tanah Kas Desa Untuk Proyek Pembangunan,” *Jurnal Ilmu Administrasi Negara (JUAN)* 9, no. 1 (June 7, 2021): 13–25, doi:10.31629/juan.v9i1.3121.

3. Consignment Issues for Village Land

When a village can't agree on compensation or finish the administrative process, consignment is used to acquire land. In such situations, the compensation money is deposited with the court by the agency to prevent delays in the development process. This mechanism is intended to safeguard the village's right to receive compensation, even if it cannot yet receive the payment immediately. In practice, consignment is often used in village land acquisition cases, particularly when village land is released for public use without an agreement or complete documentation from the village.

In practice, village land consignment often encounters obstacles. One common issue is the unclear legal status of village land, such as the absence of a certificate in the name of the village government or ongoing ownership disputes. When the legal status remains unresolved, consignment funds cannot be disbursed, and the replacement land acquisition process is delayed. A real-life example occurred in Banjaran Village, Purbalingga Regency, where compensation money had been deposited but could not be used because there were no village regulations governing the certification of replacement land and legal asset documents.¹⁹ As a result, the new land could not be utilized, and the village lost potential revenue that should have been sustained.

Another problem is the lack of understanding among village officials regarding the legal and technical processes of consignment. Many villages lack knowledge of how to prepare application documents for the disbursement of funds or complete administrative documents according to procedure. Furthermore, the lack of regulations or operational standards at the village level further complicates the consignment process. In the case of land acquisition in Masaran District, Sragen, for example, village officials were unable to prepare

¹⁹ Rima Kurniasih, Sukayadi Sukayadi, and Priyo Katon Prasetyo, “Permasalahan Pengadaan Tanah Untuk Pembangunan Bendung Slinga, Purbalingga,” *Tunas Agraria* 2, no. 2 (May 14, 2019): 22–40, doi:10.31292/jta.v2i2.27.

their own land release proposals due to a lack of technical capacity.²⁰ Therefore, the agency requiring the land was responsible for preparing all necessary documents. This demonstrates the village's dependence on external parties to manage its important assets.

Lack of technical support and weak coordination with local governments often hinder village land consignment. Uneven outreach results in many village officials not understanding their rights and the procedures they must follow. Furthermore, not all districts have regulations supporting the disbursement of consignment funds, particularly for village treasury land. To make this mechanism effective, village officials need capacity building, clear village regulations, and active support from relevant agencies. Otherwise, the consignment process will merely exist as a formal procedure, lacking any significant impact. Therefore, this process must be carried out with the principles of transparency, prudence, and protection of village interests to avoid long-term losses.

D. CONCLUSION

This research shows that the mechanism for replacing village treasury land for public purposes still faces fundamental problems from a legal, technical, and social perspective. Existing regulations do not provide a timeline for each stage of the process, leading to administrative uncertainty and the potential for lengthy delays. Furthermore, the compensation standards used still focus on the physical aspects, without considering the social and economic value of village land, which is often a vital part of community life. In practice, compensation in the form of replacement land is difficult to implement due to land limitations and administrative complexities, while cash compensation risks the loss of productive village assets without guaranteeing economic sustainability.

²⁰ Chrisnawati, Kistiyah, and Prasetyo, “Pemberian Ganti Kerugian Tanah Kas Desa Untuk Jalan Tol Solo Mantingan II: Problematika Pelaksanaannya.”

These findings necessitate the strengthening of regulations to guarantee a more focused and legally certain land restitution process. The central and regional governments need to amend existing regulations, such as Minister of Home Affairs Regulation No. 1 of 2016, to include deadlines for completion at each stage of the process and establish national standards for compensation assessment that take into account local social, cultural, and economic values. Firmer and more measurable policies will help prevent bureaucratic inefficiencies and strengthen accountability in village asset management.

Furthermore, institutional and procedural aspects need to be strengthened to ensure effective policy implementation at the local level. Local governments are advised to establish units that assist villages with assets at the district or city level to provide technical and legal assistance in land release and replacement processes. Mandatory training for village officials on asset management and land law is also an important step to increase their capacity. Furthermore, village deliberations must be conducted in a participatory manner, involving all elements of the community, and their results must be legally documented through a notarial deed. This will ensure transparency, strengthen the legitimacy of the process, and ensure that land replacement policies are not only legally valid but also fair and sustainable for village communities.

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