

An Analysis of the Role of PPAT as a Shield in Illegal Property Transactions to Intercept the Land Mafia

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ABSTRACT

Illegal property transactions conducted by land mafias pose a serious threat to property transactions and land ownership. In this context, the role of the Land Deed Official (PPAT) plays a crucial role in preventing such illegal practices. The objective of this research is to analyze the role of PPAT as a shield in illegal property transactions carried out by land mafias. This study adopts a descriptive-analytical normative legal research approach, with secondary data as the primary source. Data collection techniques involve literature review, and data analysis focuses on identifying the modus operandi of land mafias, the role of PPAT in preventing illegal transactions, and their impact on society. The findings reveal that PPAT has the responsibility to verify documents, communicate with relevant institutions, reject suspicious transactions, and collaborate with law enforcement agencies. PPAT also plays a crucial role in educating the public and raising awareness about the dangers of land mafias. In conclusion, the role of PPAT in preventing illegal property transactions by land mafias is of utmost importance. Through stringent oversight, collaboration with relevant institutions, rejection of suspicious transactions, and public education, PPAT can act as the forefront in combating land mafia practices. By fully understanding their role, PPAT can protect the public, uphold property justice, and prevent the negative impacts caused by these illegal practices.

KEYWORDS: Illegal, Land Mafia, PPAT, Property.



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I. INTRODUCTION

Every person or legal entity that needs land, all of them expect legal certainty and legal assurance that the land and everything that is, exists, grows and stands on it is really safe, has no problems and can be utilized in accordance with its designation. For this reason, before a deed is made, the land title certificate needs to be examined at the local Land Office. The examination is a security measure carried out by the Land Deed Official for the interested parties. Land Deed Official, hereinafter referred to as PPAT, is a public official who is authorized to make authentic deeds regarding certain legal acts concerning land rights or property rights over apartment units.

J. Kartini Soedjendro, states that PPAT deeds can be used as a strong basis for registration of transfer of rights and encumbrance of rights, then the PPAT is responsible for checking the conditions for the validity of the legal acts concerned by matching the data contained in the certificate in the existing list at the Land Office.¹ Furthermore, Muhammad Yamin emphasized that with regard to the transfer of land rights, the PPAT must refuse to make a deed of transfer of rights between them:

1. Land rights are in dispute;
2. Land rights are under seizure;
3. Land rights are controlled by the State;
4. The person transferring the right is not the owner or his/her proxy.²

With regard to the above, it arises because land has a very important function for people's lives, thus encouraging people to acquire land in various ways even to the act of grabbing other people's land.³ Land issues are no longer new in legal issues that are currently complicated and complex, plus the broad dimensions from developing to developing countries so that it is not easy to resolve quickly.⁴

Land problems then move towards ironic utilization by a handful of individuals, parties who take advantage of disputes, conflicts and land cases to the detriment of previous landowners, known as the land mafia. A land mafia is an individual, group and/or legal entity that acts intentionally to commit a crime that can cause and hinder the implementation of the handling of land cases.⁵

The land mafia problem has become a serious threat to the sustainability of property development in many countries. The land mafia uses various illegal methods and strategies, including document forgery, fraud, coercion, and corruption, to illegally obtain ownership and control of land. In an effort to prevent this illegal land mafia practice, PPAT has a crucial role in ensuring the legality and validity of property transactions. In practice, land mafia is considered as if it is legitimate, legal, and reasonable, this is because land mafia activities are characterized by 2 (two) things, namely:

1. Involving symbols of law enforcement, such as unscrupulous state civil apparatus (ASN) in the National Land Agency as well as its lower ranks in the form of unscrupulous local governments, unscrupulous Notaries/PPATs, and unscrupulous law enforcers such as "judges/courts".
2. The weak supervision system in law enforcement in Indonesia.⁶

¹ J. Kartini Soejandro, *Perjanjian Peralihan Hak Atas Tanah Yang Berpotensi Konflik*, (Yogyakarta: Kanisius, 2001), p.80.

² Muhammad Yamin, *Beberapa Dimensi Filosofs Hukum Agraria*, Cetakan I, (Medan: Pustaka Bangsa Press, 2003), p.39-40.

³ Syarifah Lia dan Lathifah Hanim, *Kepastian Hukum Dalam Penyelesaian Sengketa Timbulnya Tumpang Tindih Sertifikat Hak Milik (SHM) Atas Tanah (Studi Kasus di Kantor Pertanahan/Agraria dan Tata Ruang Kota Pontianak)*, Jurnal Akta, Vol. 4 No. 1, (2017), p.35.

⁴ Irawan Soerojo, *Kepastian Hukum Hak Atas Tanah di Indonesia*, (Surabaya: Arkola, 2002), P.25.

⁵ Bagian II Petunjuk Teknis Nomor: 01/JUKNIS/D.VII/2018 Tentang Pencegahan dan Pemberantasan Mafia Tanah, 2018, p.13.

⁶ Syafran Sofyan, Peranan Notaris-PPAT dalam Mengatasi Problematika Mafia Tanah di Indonesia, diakses melalui *Indonesia Publisher*, <https://indonesiapublisher.com/peranan-notaris-ppat-dalam-mengatasi-problematika-mafia-tanah-di-indonesia/>, 13 Desember 2021.

Ironically, in some cases, PPATs are also involved in illegal practices carried out by the land mafia and even become partners to the land mafia. This creates significant challenges in efforts to combat the land mafia and prevent illegal property transactions. Some of the cases include a case involving a PPAT becoming an accomplice to the land mafia, the modus operandi being account lending.⁷ This case was directly disclosed by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), which revealed that land mafia practices also involved PPATs. The case is in the form of making a deed that should not be allowed, because the land to be transacted is still in the judicial process. So that his actions resulted in losses for land buyers. Another action is the PPAT person who lends his account to other people until the PPAT person becomes an accomplice to the land mafia. At the end of 2021, a land mafia case befell the artist Nirina Zubir, a case that directly involved a notary / PPAT person until he was declared a suspect in a land mafia case.⁸

The involvement of PPATs as shields for the land mafia in illegal property transactions creates serious challenges in efforts to combat the land mafia and maintain the integrity of the property sector. Non-compliance with ethics and professional principles by a minority of PPATs threatens public confidence in the legitimate land acquisition system. It also impacts the stability of the property market and perpetuates inequality in fair and equitable land ownership. PPATs have the primary responsibility for organizing legal and legitimate property transactions. PPATs act as intermediaries who ensure that property transaction documents meet legal requirements and follow applicable procedures. PPATs are also tasked with protecting the interests of all parties involved in a property transaction, including maintaining the validity of land ownership. However, ironically, in some cases, PPATs are also involved in illegal practices and become shields for the land mafia.

In the face of these challenges, it is important to analyze the role of PPAT as a shield in illegal property transactions conducted by the land mafia. A comprehensive analysis will help understand the factors that lead to PPAT involvement in this illegal practice, as well as the challenges faced in preventing it. With a better understanding of the role of PPATs in intercepting the land mafia, effective measures can be taken to strengthen their role in maintaining the integrity and legality of property transactions. This study focuses on the issues of what is the modus operandi of the land mafia in launching its actions, thus indicating the involvement of PPAT in land mafia practices, and what is the role of PPAT in illegal property transactions conducted by the land mafia?

This study aims to obtain information and an in-depth understanding of how the land mafia works in carrying out their illegal actions and provide an in-depth analysis of the role of PPAT as a shield in illegal property transactions by the land mafia. Through this study, it is hoped that key issues that need to be addressed, both in terms of regulation and law enforcement actions, to reduce the involvement of PPATs in these illegal practices will be identified. By

⁷ Muhdany Yusuf Laksono, Banyak PPAT Jadi Kaki Tangan Mafia Tanah, Modusnya Peminjaman Akun, diakses melalui *Kompas.com*, <https://www.kompas.com/properti/read/2021/10/07/080000521/banyak-ppat-jadi-kaki-tangan-mafia-tanah-modusnya-peminjaman-akun>, 07 October 2021.

⁸ Tria Sutrisna, Notaris/PPAT Tersangka Kasus Mafia Tanah Keluarga Nirina Zubir Menyerahkan Diri, diakses melalui *Kompas.com*, <https://megapolitan.kompas.com/read/2021/11/23/13414801/notaris-ppat-tersangka-kasus-mafia-tanah-keluarga-nirina-zubir>, 23 November 2021.

strengthening the role of PPATs and ensuring their integrity, it is hoped that land mafia practices in illegal property transactions can be effectively suppressed. This analysis will also provide a foundation for policy development and strengthening measures aimed at improving the integrity of the land acquisition system.

II. METHODOLOGY

The research method is a scientific activity based on a certain method, systematics, and thinking that aims to study a certain symptom by analyzing it.⁹ This research uses descriptive analytical normative legal research, which is a research problem solving procedure by describing the state of the object under study (a person, institution, society, company, agency, etc.), as it is based on actual facts at the present time.¹⁰ The research data source uses secondary data, namely data that includes official documents, books, research results in the form of reports, consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The data collection technique uses literature study, namely by collecting (inventorying) legal materials that are considered related to the problems in the study, then classifying the legal materials collected. Data analysis using qualitative research is a narrative analysis that explains and describes a series of events, interactions, or events that are revealed from previously obtained data. The sequence aims to build a more complete understanding of the illegal practices involving the land mafia in illegal property transactions.

III. THE ROLE OF PPAT AS A SHIELD IN ILLEGAL PROPERTY TRANSACTIONS TO INTERCEPT THE LAND MAFIA

A. Land Mafia Practices in Illegal Property Transactions.

The term land mafia, although not known in Indonesian law, but the Ministry of ATR/BPN adopted it officially in the Technical Guidelines for the Prevention and Eradication of Land Mafia Number 01/JUKNIS/D.VII/2018 and is interpreted as individuals, groups, and/or legal entities that commit actions deliberately to commit crimes that can cause and cause obstruction in the implementation of handling land cases. Moving on from this definition, the land mafia is positioned as a constraint that impedes the handling of land cases under the authority of the Ministry of ATR/BPN.

The problem of land mafia is actually a crime that uses land as an object of crime, which harms the state and harms the community. This includes crimes against the economic derivation of land in the banking world, financial markets, capital markets, stock exchange / securities markets, including property by conventional or electronic means from local or transnational actors. Land crimes today can also be interpreted as agrarian resource crimes, whose objects are not only surface of land in cultivated areas or land in forest areas prohibited by the Spatial

⁹ Zainuddin Ali, *Metode Penelitian Hukum*, Cetakan ke-7, (Jakarta: Sinar Grafika, 2016), P.18.

¹⁰ H. Hadari, H.M, dan Martini Hadari, *Instrumen Penelitian Bidang Sosial*, (Yogyakarta: Gajah Mada University Press, 1992), P.42.

Planning Law, the Health Law and the Forest Destruction Eradication Law. Land crime is universally part of economic crime alongside agrarian resources crime.¹¹

Land disputes, conflicts and cases that become the object of activities in the context of preventing and eradicating the land mafia are land cases that are reported to indicate the involvement of the land mafia, especially land cases with broad dimensions. The modus operandi of the land mafia by way of criminal conspiracy that indicates the involvement of the land mafia in land cases is known as follows:¹²

1. Issuing and/or using more than one letter of girik/ pipil/ ketitir/pepel/yasan/letter c/ letter of land restriction/register/ letter of information/ land/ letter of statement of physical possession or other similar names, certificate of no dispute, or other letters related to land by the Village Head/Lurah to several parties for the same plot of land;
2. Issuing and/or using documents that are indicated to be fake related to land such as land title certificates/ deeds of van eigendom/erfpacht/postal, girik/pipil/ketitir/pepel/yasan/letter c/land boundary letters/register/ certificate/ land/ statement of physical possession or other similar names, certificate of no dispute, which are accepted by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency;
3. Unauthorized occupation or exploitation of land on land owned by others (Hak Milik / Hak Guna Usaha / Hak Guna Bangunan / Hak Pakai / Hak Pengelolaan), both those that have expired and those whose rights are still valid;
4. Changing/moving/removing land boundary markers;
5. Submitting an application for a replacement certificate because it has been lost, while the certificate still exists and is still held by the owner or another person in good faith, resulting in the existence of two certificates for the same parcel of land;
6. Utilizing the judiciary to validate proof of ownership of land, by:
 - a. Filing a lawsuit using an incorrect letter, so that when the lawsuit is decided and has permanent legal force, the letter is used as the basis of rights at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency;
 - b. Filing a lawsuit in court to be declared as the owner of the land, while the legitimate landowner does not know at all or is not made a party to the lawsuit;
 - c. Purchasing land that is still the object of a case in bad faith and seeking a court decision in favor of him/her/their group;
 - d. Filing lawsuits continuously, which has resulted in many court decisions with permanent legal force with conflicting decisions, so that these decisions cannot be executed, resulting in unresolved land and space disputes and conflicts.

¹¹ Gunanegara, *Intelijen Pertanahan Deteksi Dini Kerugian Negara, Dialektika Politik Hukum Agraria*, (Jakarta: Tatanusa, 2017), P.112.

¹² Bagian II Petunjuk Teknis Nomor: 01/JUKNIS/D.VII/2018 Tentang Pencegahan dan Pemberantasan Mafia Tanah, 2018, P.4-6.

Malicious conspiracies carried out in authentic deeds/certificates by the land mafia involving Public Officials (Notary/PPAT/Camat/Lurah/Kades) resulting in disputes, conflicts and land cases with broad dimensions.

Furthermore, land mafia practices that can occur are, among others:¹³

1. The Village Head makes a copy of girik, makes a certificate of no dispute, makes a physical possession certificate or makes more than one land certificate to several parties for the same land plot;
2. Provoking farmers/cultivators to illegally occupy or cultivate land on HGU plantations, both those that will expire and those that are still valid;
3. Falsification of land related documents such as eigendom card, Kikitiir/Girik, Land Certificate, Land Redistribution Decree, Signature of Measurement Letter;
4. Change / shift / eliminate land boundary markers;
5. Submitting an application for a replacement certificate because it is lost when the certificate is not lost and is still held by the owner, resulting in the circulation of 2 (two) certificates on the same land parcel;
6. Deliberately using the services of thugs to physically control the object of land owned by others that have been certified, fencing it and padlocking it and then erecting buildings on it, and when there are complaints from the landowner community, they argue that they have been physically controlling the land for a long time
7. Using the courts to legalize ownership of land, by:
 - a. Conducting a fabricated lawsuit in court to obtain land rights, even though both the plaintiff and the defendant are part of the mafia group and the real landowner is not involved as a party.
 - b. Buying land that is being litigated in court and giving bribes to law enforcers so that the verdict is in favor of the group.
 - c. Conducting endless lawsuits, and causing many court decisions that have permanent legal force to contradict each other, so that the decisions cannot be executed and the land cannot be utilized.

Conducting endless lawsuits, and causing a large number of court decisions that have permanent legal force, the contents of which contradict each other, so that the decisions cannot be executed and the land cannot be utilized.¹⁴

The modus operandi of the land mafia can vary, but generally involves a series of illegal actions designed to profit from illegal property transactions. There are several of land mafia, include:¹⁵

1. Unsynchronized rules between land-related institutions;
2. The existence of conspiracies in sectors related to land affairs;
3. Collaboration of perpetrators with unscrupulous law enforcement officials;
4. People are less aware or do not have enough money to take care of and register their proof of ownership.

¹³ Indra Iswara, Peran Notaris/PPAT Cegah Mafia Tanah, diakses melalui <https://halonotariat.id/peran-notaris-ppat-cegah-mafia-tanah/>, 18 January 2021.

¹⁴ Rahadiyan Veda Mahardika & Gatot Suyanto, *Kedudukan Hukum Badan Bank Tanah Dalam Pengadaan Tanah Untuk Kepentingan Umum*, Jurnal Ilmu Kenotariatan, Vol. 3, No. 2, (2022), P.62.

¹⁵ Mia Amiati, *Tindak Pidana Pertanahan dan Mafia Tanah*, (Yogyakarta: Sekolah Tinggi Pertanahan Nasional, 2021), P.21.

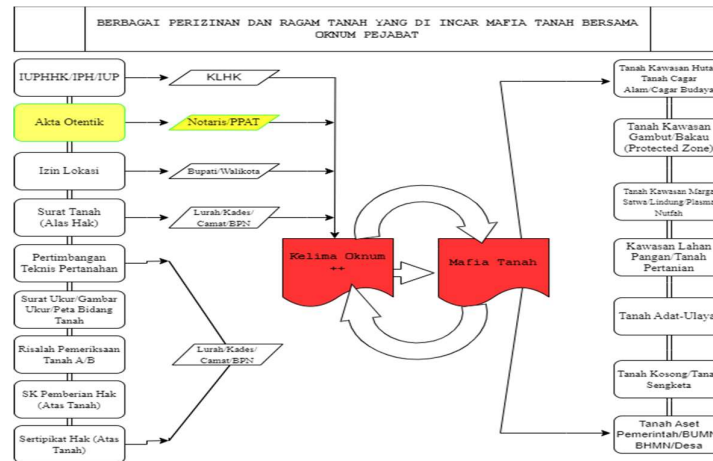
Furthermore, here are some examples of modus operandi that may indicate the involvement of PPAT in land mafia practices:

1. Committing acts of forgery and documents.
Land mafia may forge or alter property documents, such as ownership certificates, sale and purchase deeds, or other letters. PPATs involved in land mafia practices may facilitate such forgery by providing forged signatures or certifying documents that have been manipulated.
2. Committing acts of bribery and corruption.
The land mafia may bribe PPATs to secure or expedite illegal property transactions. This can include forging documents, ignoring proper legal procedures, or manipulating information related to the property.
3. Neglect of a PPAT's professional obligations.
PPAT officials involved in land mafia practices may deliberately ignore their professional obligations, such as not conducting adequate data verification of land ownership, ignoring suspicious information or evidence, or not carrying out legal procedures that should be carried out.
4. Misuse of confidential information.
PPATs involved in the land mafia may use confidential information they obtain through access to property documents for personal gain or to assist the land mafia in illegal transactions. PPATs may disclose information about the property being processed to unauthorized parties or alter the information for their own benefit.
5. Acts of Collusion with related parties.
PPAT officials involved in land mafia practices may collude with related parties, such as property developers, lawyers, or government officials, to smooth the way for illegal property transactions. PPATs may also cooperate in creating false documents, ignoring legal procedures, or expediting the transaction process by granting privileges to the land mafia.

Important to note that not all PPATs are involved in land mafia practices, and most PPATs are professionals who carry out their duties with integrity and compliance with the law. However, the existence of a modus operandi as mentioned above could indicate the possibility of PPAT involvement in land mafia practices.

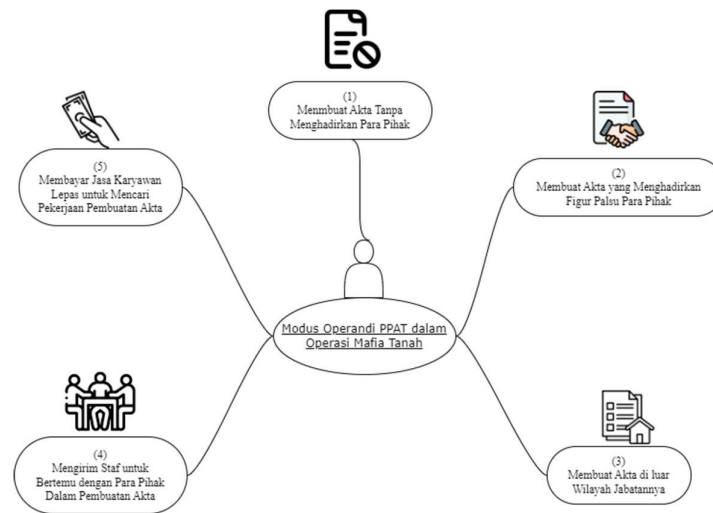
Below will be shown the various licenses and land types targeted by the land mafia along with the officials who may facilitate, assist and expedite the crimes of the land mafia.

Figure 1. Various licenses and land types targeted by the land mafia and unscrupulous officials.



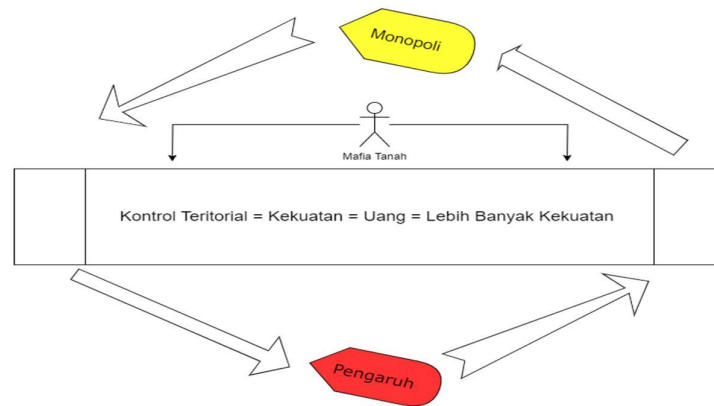
The following will show the mode of actions and deeds that allow a PPAT to be indicated to be involved in land mafia practices.

Figure 2. Modes of PPAT in the Operation of Land Mafia Indications



Mafia practices in illegal property transactions involve a series of illegal activities as well, the purpose of which is to gain unlawful profits from property transactions. Various actions and deeds carried out are very detrimental to other parties, such as the falsification of documents in the making of ownership certificates, sale and purchase deeds, land documents and agreements. Actions that occur are changing information, adding to deleting the name of the landowner, creating fake documents that make the land mafia appear to be the legitimate owner of the property. Furthermore, the land mafia will commit fraud in the sale and purchase of property, both property that is not owned and property that has been traded to someone else before. These practices are detrimental to the public, legitimate property owners, and the government. The land mafia seeks to profit from illegal transactions by exploiting loopholes in the legal system and corruption. Below we will illustrate the ultimate goal of land mafia crimes, namely:

Figure 3. The Ultimate Goal of Land Mafia Crime



This statement illustrates the main objective of land mafia practices, which is to gain territorial control. By having control over land, they also gain political, economic and social power. Through this power, the land mafia can also manipulate the property market, control land prices and earn huge profits. In this context, land has strategic value as a limited resource and becomes a valuable asset. By controlling a large amount of land, land mafias can monopolize land supply, control development, and influence the development of a particular city or region. This allows them to make significant financial gains and also gives them extensive political power and influence.

The power wielded by the land mafia through land control also gives them greater access to resources and business opportunities. The land mafia can use land as collateral to secure loans, extract profits from development projects, and capitalize on lucrative investment opportunities. In this process, the land mafia gains greater power and strengthens their position in the social and economic environment. In addition, the control of land by the land mafia also affects the general public. The land mafia can monopolize land that should be available for public development, housing, or other social interests. As a result, communities lose access to land that they could have utilized for their own benefit. This can create social inequality, economic inequality, and harm the wider community.

The final analysis is that the ultimate goal of the land mafia is to gain territorial control, political and economic power, and huge financial gains. Land control gives them the power to monopolize resources, influence regional development, and manipulate the property market. The impact is felt not only at the individual level, but also on society as a whole, with loss of access to land and increased social inequality. Preventing and prosecuting the land mafia is therefore crucial to protecting communities, maintaining property justice, and building a more just and sustainable order.

B. The Role of PPAT in Illegal Property Transactions Conducted by the Land Mafia.

The existence of PPAT as an official was first regulated in Government Regulation No. 10/1961 concerning Land Registration. This Government Regulation Number 10 of 1961 has been revoked or declared invalid by the issuance of Government Regulation Number 24 of 1997. The next legislation that regulates PPAT is Government Regulation Number 37 of 1998 concerning

the Regulation of the Position of Land Deed Maker (hereinafter referred to as Government Regulation Number 37 of 1998).¹⁶

Based on the mandate of Article 1 point (1) of Government Regulation Number 37 of 1998, PPAT is a public official who is authorized to make authentic deeds regarding certain legal acts concerning land rights or property rights over apartment units. So, in carrying out its main task, a PPAT has the authority to make authentic deeds regarding all legal acts as referred to in Article 2 paragraph (2) of PP No. 37 of 1998 regarding land rights and Property Rights Over Flat Units located in its working area.

The role of PPAT is to carry out some land registration activities by making a land deed as evidence that certain legal actions have been carried out regarding land rights or ownership rights over apartment units, which will be used as the basis for registering changes in land registration data, as stated in Article 2 (2) of Government Regulation Number 37 of 1998. These legal actions, according to Article 2 (1) of Government Regulation No. 37 of 1998, include: sale and purchase, exchange, grants, inclusion in a company, division of joint rights, granting of building use rights/use rights on freehold land, granting of mortgage rights, and granting power of attorney to impose mortgage rights.¹⁷

According to A.A. Andi Prajitno, a PPAT is an official appointed by a government decree in this case by the Head of the National Land Agency (BPN) to represent part of the state's duties; namely making deeds or documents required by the state related to controlling the implementation of land regulations and registering state assets in the form of land in serving the needs of the community (public service) in the field of civil law with land objects as stated in the UUPA. Therefore, it can be concluded that PPAT has an important role in its authority to make evidence of certain legal acts regarding the transfer; encumbrance of land rights which are used as the basis for registration of land rights at the Directorate General of Agrarian Affairs which is now at the BPN of the Republic of Indonesia.¹⁸

As is known, in accordance with the instructions in Article 2 (1) of Government Regulation No. 37 of 1998, it is stated that PPAT has the main duty to carry out part of the land registration activities by making deeds as proof that certain legal actions have been carried out regarding land rights or Property Rights Over Flat Units, which will be used as the basis for registering changes in land registration data caused by these legal actions. For this reason, PPAT has a very important role in land registration, one of which plays an important role in preventing land mafia practices in illegal property transactions. PPAT has a big role and responsibility in conducting property transactions legally and protecting the interests of property owners.

As the official authorized to make land deeds, PPATs have the responsibility to ensure that property transactions are conducted legally and in accordance with the law. PPATs verify documents, check the validity of land ownership, and communicate with relevant agencies to

¹⁶ Suprayitno, *Pemeriksaan Sertipikat Hak Atas Tanah Oleh Notaris/PPAT Pada Kantor Pertanahan Kota Medan Berkaitan Dengan Pembuatan Akta (Studi Di Kota Medan)*, (Medan: Disertasi Doktor, 2004), P.65.

¹⁷ Christiana Sri Murni, *Peran Pejabat Pembuat Akta Tanah dalam Proses Peralihan Jual Beli Hak atas Tanah*, Jurnal Kajian Hukum, Vol. 1, No.1, (2021), P.28.

¹⁸ Dwina Natania, Lastuti Abubakar, dan Nanda A Lubis, *Penyampaian Akta Pemberian Hak Tanggungan oleh Pejabat Pembuat Akta Tanah setelah Diberlakukannya Peraturan Menteri ATR/KPBN Nomor 5 Tahun 2020 Tentang Pelayanan Hak Tanggungan Terintegrasi Secara Elektronik*, Acta Djurnal: Jurnal Ilmu Kenotariatan, Vol. 3, No. 2, (2020), P.287.

prevent illegal practices. PPATs also cooperate with law enforcement officials, provide education to the public, and refuse to be involved in corrupt practices or document forgery. With integrity and awareness of the dangers of the land mafia, PPATs can be at the forefront of preventing illegal property transactions and protecting the public and property justice.

In addition, the role of a PPAT also involves closely monitoring the property transaction process. The PPAT ensures that all legal procedures are met, including tax payment, document attestation, and fulfillment of other requirements. In the event of suspicion or indication of an illegal transaction, a PPAT has the right to delay or even reject the transaction. This action can be an important step in preventing land mafia practices, as it limits their access to illegal property transactions. Furthermore, the implementation mechanisms that can be carried out by PPAT to prevent and eradicate the land mafia are:

1. Collect information sourced from public complaints as well as information obtained by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency and/or from the National Police of the Republic of Indonesia on land cases with indications of land mafia involvement;
2. Conduct coordination meetings to:
 - a. Formulate handling measures in the form of:
 - 1) Research plan; things/data needed
 - 2) Plan for collecting information from related parties
 - 3) Case title plan
 - b. Conduct research on cases where there are indications of land mafia by inventorying and collecting data. The data collected are:
 - 1) Physical and juridical data
 - 2) Court decisions, minutes of examination from the Indonesian National Police, the Indonesian Attorney General's Office, the Corruption Eradication Commission or other documents issued by law enforcement agencies.
 - 3) Data issued or published by authorized officials
 - 4) Other data that is related and can influence and clarify the dispute and conflict issues; and/or
3. complement juridical data, physical data or other data, field research activities can be carried out, including:
 - a. Research on the validity/compatibility of data with its source or testing the authenticity of documents through historical opinion;
 - b. Seeking information from witnesses related to the case;
 - c. Physical review of the disputed object land;
 - d. Research on land boundaries, situation drawings, field maps or measurement letters; and
 - e. Other activities required.
4. Field research activities are carried out based on a Letter of Assignment:
 - a. Secretary of the Directorate General of Agrarian Problems Handling, Space Utilization and Land known by the Director;
 - b. Head of BPN Regional Office or Head of Administration, at the level of the Regional Office of the National Land Agency
 - c. Head of the BPN Regional Office or Head of the Administration Subdivision, at the level of the Regional Office of the National Land Agency

5. The results of each research are set out in the Minutes of the research signed by the officer concerned and known by the Head of the Task Force.
6. After obtaining sufficiently complete data, an external case title is held to determine whether or not there are indications of land mafia in the case. The case title can present competent sources in their fields, both from academics and other related agencies.
7. Reviewing the results of the research and information as well as the results of the initial case title.
8. Conduct an internal task force case review to determine conclusions and recommendations, the results of which are outlined in the Minutes and signed by the entire Task Force.
9. If the results of the case title in point 8 obtained preliminary evidence of the involvement of the land mafia, the Task Force submits it to the Police.
10. The entire implementation of activities by the Task Force is reported to the Minister through the Director General of Agrarian, Spatial Utilization and Land Issues Management at the Ministry level, to the Head of the Provincial BPN Regional Office at the Provincial level and the Head of the Land Office at the Regency/City level.
11. The report in number 10 will then be discussed in the Coordination Meeting between the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency and the National Police Headquarters.

The Task Force referred to is the task force for the prevention and eradication of land mafia, which is a team formed in an integrated manner whose members consist of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency and the National Police of the Republic of Indonesia in charge of preventing and eradicating land mafia.¹⁹

Figure 4. The Role of PPAT as a Shield in Illegal Property Transactions



¹⁹ Bhim Prakoso, *Pendaftaran Tanah Sistematis Lengkap Sebagai Dasar Perubahan Sistem Publikasi Pendaftaran Tanah*, Journal of Private and Economic Law, Vol. 1, No. 1, (2021), P.66.

Finally, PPATs can also cooperate with government agencies and other relevant institutions to strengthen the supervision system. PPATs can provide input and recommendations regarding the improvement of policies, procedures, and regulations related to property transactions. By improving coordination between PPATs, law enforcement officials, and other related parties, synergy in the prevention and prosecution of land mafia practices can be improved.

IV. CONCLUSION

The role of PPAT in preventing illegal property transactions conducted by the land mafia is very important and significant. PPATs have the responsibility to ensure that property transactions are conducted legally, in accordance with the law, and protect the interests of property owners. By conducting document verification, communication with relevant agencies, close supervision, rejection of suspicious transactions, and cooperation with related parties, PPATs can be an effective shield in preventing land mafia practices. This study provides a foundation for raising public awareness about the dangers of land mafia practices and the importance of involving PPATs with high integrity in property transactions. In addition, the study also provides recommendations for improved policies and procedures that can strengthen the supervisory system and prevent illegal practices from occurring. With these measures, it is expected to reduce the negative impact of land mafia practices and protect the public and property justice.

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