

The Performance of the Land Agency in Issuing Certificates in Banjar Regency

Adwin Tista^{1*}, Tomi Oktaviannor², Taufik Arbain³

Universitas Islam Kalimantan, Indonesia^{1,2}

Universitas Lambung Mangkurat, Indonesia³

Email: Adwintista72@gmail.com*

Keywords:

Performance; Land Agency;
Certificate.

Abstract

In issuing certificates in Banjar district and determine the supporting and inhibiting factors in the performance of land agencies in issuing certificates in Banjar district. The research method used in this research is a qualitative descriptive method with a geertz interpretive model approach, namely a phenomenological approach that seeks to find meaning and not look for laws, understand each problem and not look for theories of phenomena. The research resulting is the performance of land agencies in issuing certificates in Banjar district is still less than optimal, because officials still expect compensation from applicants; there is discrimination among officials in providing services because of the proximity system; Responsiveness is still lacking due to complaints about making measuring drawings and land plot maps; Accountability is not good because there are many public concerns /complaints, there is no transparency regarding the costs and time of issuing certificates. The supporting factors for the performance of the land agency in issuing certificates in Banjar district are: discipline, public service vehicles for land certificates (LARASITA), computerized systems, waiting rooms, information boards, land flow charts and the existence of a complete system land registration program (PTSL). The factors inhibiting the performance of the land agency in issuing certificates in the city of Banjar district are human resources, lack of public understanding, lack of computer infrastructure, low capability of the apparatus, lack of coordination of the apparatus, inadequate storage of certificates, no funds to replace lost certificates, no guarantee of security.

INTRODUCTION

In terms of the control of land rights, Article 28 D Paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that: "Everyone is basically entitled to recognition, guarantees, legal protection and just legal certainty and the existence of the same legal treatment before the law" (Nasution & Ramadhani, 2023). It is also emphasized in Article 33 Paragraph (3) of the 1945 Constitution which states that: "The earth, water and natural resources that exist and are contained in it are fully controllable by the state and subsequently can be used to the greatest extent for the prosperity of the people" (Farhani & Chandranegara, 2019; Sahnan, 2020). Specifically, regarding the control of land rights, it is also regulated in the Basic Agrarian Law (UUPA) Number 5 of 1960 (Bahari et al., 2025). Therefore, the existence and birth of the UUPA is aimed at improving agrarian law and improving the existence of land rights (Effendi Perangin, 1989; Amilio, 2025). In its implementation, the government of the Republic of Indonesia issued Government Regulation (PP) Number 10 of 1961 concerning Land Registration, and finally issued Government Regulation Number 24 of 1997 concerning Land Registration which replaced Government Regulation No. 10 of 1961

(Sumarna, 2025). The change in the rules can be said to be an improvement of the previous regulation which was then adjusted to various developments (Fahrani et al., 2023; Boedi Harsono, 2008).

Official government institutions, namely land agencies that are authorized to regulate and issue land certificates, do not escape public attention related to the performance of the Land Agency in providing services to the community, especially in issuing certificates (Dewi et al., 2025; Metaferia et al., 2022; Wibowo et al., 2023; Zulfikar et al., 2024). Based on this background, the writing studied in this paper is about the performance of land agencies in issuing certificates at land offices in Banjar Regency and the supporting and inhibiting factors of land agencies' performance in issuing certificates at land offices in Banjar Regency. The method used in this study is an analytical descriptive method with a qualitative approach technique (Furidha, 2023; Hall & Liebenberg, 2024; Naeem et al., 2023; Pregoner, 2024; Sale, 2022; Taherdoost, 2022). According to Bogdan and Taylor in Moleong (2001), it is stated that the qualitative descriptive research method is a research procedure that produces descriptive data in the form of written or spoken words from people and observed behaviors which are then interpreted by the researcher. Meanwhile, the approach taken by the author in this study is to use the Geertz Interpretive model where this model is part of the logical phenomenon approach that seeks to find "meaning" instead of looking for laws, trying to understand rather than looking for theories of phenomena.

The novelty of this research lies in its application of the Geertz interpretive model—a phenomenological approach that seeks to find "meaning" rather than looking for laws, and aims to understand rather than seek theories of phenomena to analyze land agency performance. Unlike quantitative approaches that simply measure output indicators, this approach enables deep exploration of the lived experiences and perceptions of various stakeholders, including community members, Notaries/PPATs, Advocates/Lawyers, and land agency apparatus. Furthermore, this study provides a comprehensive mapping of both supporting factors (discipline, LARASITA program, PTSL, KKP system, waiting rooms, information boards, and land flow charts) and inhibiting factors (human resources, public understanding, infrastructure, apparatus capability, coordination, storage issues, security concerns, and land overlaps).

Based on this background, this study aims to: (1) analyze the performance of the Banjar Regency Land Agency in issuing certificates; and (2) identify the supporting and inhibiting factors affecting the performance of the Banjar Regency Land Agency in issuing certificates. The findings of this research are expected to provide both theoretical contributions to the literature on public service performance and practical recommendations for policymakers and land agency management to improve service quality and legal certainty in land ownership.

METHOD

The method used in this study is an analytical descriptive method with a qualitative approach technique. According to Bogdan and Taylor in Moleong (2001: 3), it is stated that the qualitative descriptive research method is a research procedure that produces descriptive data in the form of written or spoken words from people and observed behaviors which are then interpreted by the researcher. Meanwhile, the approach taken by the author in this study is to use the Geertz Interpretive model where this model is part of the logical phenomenon approach that seeks to find "meaning" instead of looking for laws, trying to understand rather

than looking for theories of phenomena.

RESULTS AND DISCUSSION

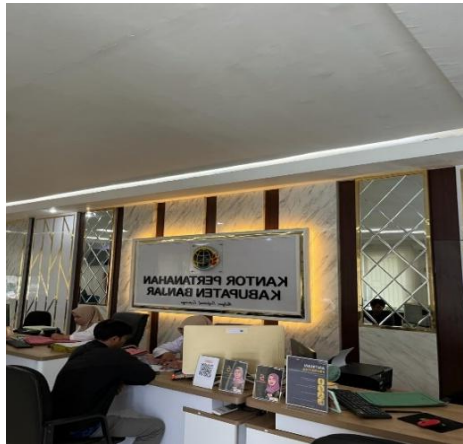


Figure 1. Banjar Regency Land Office in Performing Services at BPN Banjar Regency

Performance of the Banjar Regency Land Agency in Issuing Certificates

The performance of the land agency that is honest, sincere and sincere in providing services to the community without expecting rewards or return for services in any form and is not influenced by pressure and influence from any party will also of course facilitate the performance of the land agency in providing services. The performance of land agencies in providing services with dimensions that are quite complex.

The results of interviews conducted by the author to several communities, Notaries/PPATs, Advocates/Lawyers, apparatus at the land office, and clients who have given full power of attorney to be able to take care of the issuance of certificates at the land agency because there is a satisfaction is one of the indicators to be able to measure the performance of the Land Agency in issuing certificates.

The performance of the Banjar Regency Land Office in serving the community is still not good and has not met the specified standards, judging from the following analysis and indicators:

1. Service Discrimination

It is undeniable that there is still discrimination in services carried out by the Land Agency, this shows that there is still a difference in the treatment of the land agency apparatus to the community, especially to applicants, both from ordinary people, government officials, or Notaries/PPAT from land agency apparatus get the same and fair treatment in accordance with regulations.

The provision of incentives or tokens of gratitude to the land agency can be done within reasonable limits without any agreement or request from the land agency with a certain amount,

Any community and from any agency or group should be served equally and fairly according to the standards and procedures that have been set. The results of the interview conducted by the author show that there is a difference in treatment, especially in the process of completing the application work. There are several companies in the form of necessary documents;

2. Perception of the Work of the Apparatus

The perception of working at the Banjar Regency Land Office greatly affects the smooth running of services. Individuals from the land agency will certainly choose people who give service fees instead of people who do not give at all. Therefore, in this study, the author observes the phenomenon of the perception of the work of the Land Agency in providing services in issuing certificates that affect the performance of the Banjar Regency land office.

The existence of the reality of the problem in the field found by the author, shows that the morality of the person on the part of the land agency is a universal treasure of value, namely an inner wealth of humanity that has been inherent since the beginning. Morality can also be seen as a treasure when value or more accurately referred to as a potential that is a provision for humans in pursuing their lives. The moral potential aimed at the work perception of the Land Agency in Banjar Regency so far can be seen in general that the image of the land agency in Indonesia is still not as good as expected. The duties of the business bodies are indeed so extensive that it is easy to understand that their attitudes and actions are often months of public protests, criticism and dissatisfaction. Most people see how land agencies work on an incompetent scale until they are quite competent. More often they are ridiculed as officials who are less sophisticated, only after position and money, not actively working and arrogant.

The phenomenon that the author often observes is seen from the perception that the work of the apparatus as the executor of services in carrying out service activities is seen from the sensitivity of the apparatus to avoid and even reject the practice of bribery, bribery and so on, here it can be interpreted that the real purpose of the apparatus in working to carry out their duties. It can be clearly observed that the Banjar Regency land agency apparatus has not given proper recognition and appreciation to the community as an applicant. In general, the behavior of the apparatus always measures everything only in terms of the value of money, thus allowing them to work by always expecting a reward for what they do, even though it is actually their daily task.

3. Responsiveness (*Responsibility- bag*)

An organization is said to carry out activities with high responsibility if the implementation of its operational activities is carried out in accordance with the correct administrative principles and in accordance with the standard operating procedures of the organization.

There is a process for submitting land certificate applications, measuring and mapping the location, the speed of the apparatus in making pictures of the situation, the speed of the apparatus in making a decree on land rights and the accuracy of the apparatus in the issuance of land certificates. The stages in the service activities of the Banjar Regency land office are:

a. Application for Land Certificate Creation

The delay by the apparatus at the Banjar Regency land office in issuing certificates is not only the fault of the land agency apparatus itself, but also caused by the lack of understanding and lack of requirements from the community in the process of making certificates.

The lack of understanding and lack of requirements from the community in the process of making certificates by the community is a reason for the community that the Banjar Regency land agency apparatus in providing services to the community is considered convoluted. If it is understood by every community who submits an application for the issuance of a certificate at the Banjar Regency land agency in providing the service of issuing a certificate is not hampered

and if one of the requirements in making a certificate is not met by the community, PPAT/Notary and Advocate/Lawyer as the applicant or as the applicant's attorney, then it can be ascertained that all the process of issuing certificates at the Banjar Regency land office will not be processed to the level certificate issuance process.

b. Complaints About Mapping and Measurement

One of the conditions that must be met before the issuance of a land rights certificate is a mapping and measurement process at the land location submitted by the community as the applicant. Complaints that are often experienced by the community as the applicant in the issuance of certificates is the length of the wait time for the measurement by the land agency to carry out measurements on the land surveyed and drawing results on the land location map applied for by the community.

Often the public as the party applying for a certificate takes various ways without considering how much it will cost later. Based on the results of the interview conducted by the author with the land agency in charge of measurement, the author can conclude that there is a convenience that can be obtained by the community as the owner and at the same time as the applicant for the issuance of certificates, especially in the process of measuring and mapping land objects in the field, it is very dependent on understanding or not understanding from the community as the applicant and/or the owner of the land object to be able to present the border parties for the land requested, and even if the land agency as a surveyor can take its time.

c. Complaints in Making Survey Drawings or Land Plot Maps

One of the requirements that must be present in the issuance of certificates is the existence of a Survey Drawing (GU). The period of time in making it is 7 (seven) days from the time the land agency is appointed after descending to the location where the land object is located, as long as the land object requested does not overlap and meets all requirements and does not have problems with the law. The Banjar Regency Land Agency in making survey letters and situation drawings is quite good in updating data and technology.

d. Complaints in the Issuance of Land Certificates

Based on the results of the research and the facts found by the author in the field where there are still many found the Banjar Regency land agency often delays the work that is its obligation, especially in processing the issuance of certificates applied for by the community. One of them is due to the absence of official incentives beyond the discretion of each other. The inaccuracy in the issuance of land certificates is also caused by the community as the applicant itself who did not complete the application file, while the land office did not try to contact him, finally there was a delay in the issuance of land certificates.

Based on this, the Banjar Regency land agency is still passive towards the community as applicants and users of land office services. There are so many people who own land in Banjar Regency do not know and do not understand the procedure for managing land certificates, so the community asks for help from bidders who sell their services, this is very detrimental and burdensome to the community, as well as the effect can worsen the image of land office services in Banjar Regency.

Based on the research conducted by the author at the Banjar Regency land office, the existence of the suggestion box provided by the Banjar Regency land agency is useless and there is a statement from the land agency apparatus that the author met separately saying that the existence of the suggestion box prepared is only a display and is often ignored.

Based on such circumstances, it is natural for people to be lazy and do not care to suggest or convey their aspirations and complaints through the suggestion box that has been prepared. Based on this research, it can be said that the performance provided by the Banjar Regency land agency is still not responsive in providing services to the

e. Accountability

To be able to measure a good performance or not, it can be seen from the implementation of services at the land office as well as the guarantee of law enforcement and the principles of justice. Accountability is intended if the land agency provides services transparently and clearly by prioritizing the principle of openness, both in terms of cost, procedural time, and openness of the necessary data and information.

Although officially in each part there are costs and durations, in practice it is difficult to be able to do it, because there are always costs in each part that are negotiated. Based on this, it can be said that accountability at the Banjar Regency land office is still lacking, this can be seen from the many unrest and complaints from the community

1. Research Results of Supporting and Inhibiting Factors of the Performance of the Land Agency in Issuing Certificates in Banjar Regency

It is stated in Article 1 of Government Regulation Number 24 of 1997 concerning Land Registration:

Land Registration is a series of activities carried out by the government continuously, continuously and regularly including the collection, processing, bookkeeping and presentation as well as maintenance of physical data and juridical data, in the form of maps and lists, regarding land plots and flats, including the issuance of certificates as proof of rights for plots of land that already have rights and property rights to flats and certain rights that weighed him down.

The supporting factors and factors inhibiting the performance of the Banjar Regency land agency in issuing certificates are as follows:

A. Factors Supporting the Performance of the Land Agency in Issuing Certificates in Banjar Regency

1. Discipline

The land agency in Banjar Regency has a good level of discipline. This is based on the source of information, namely from the community as the applicant in submitting the certificate that submitted the application. As the opinion of the author's informant

2. People's Service Car for Land Certificate (hereinafter referred to as LARASITA)

The LARASITA program in Banjar Regency in order to provide public services in the land sector is adequate in implementation

3. Complete Systematic Land Registration Program (PTSL)

Complete Systematic Land Registration Program (PTSL). The completion of the land rights ownership certificate applied for by the community was previously delayed a few years ago, but now the land measurement has now been completed. There are also several services that are currently running using digital systems. The completion of land rights certificates that was delayed last year with a manual system.

4. Office Computerized System

Land (KKP)

The Ministry of ATR/BPN understands that the digitization of land data is important and must be implemented immediately.

5. Waiting Room for

Society

The waiting room prepared by the Banjar Regency land office is part of one of the supporting factors for the performance of the Land Agency in providing service comfort to the community

6. Information Board

The information board provided by the Banjar Regency land office is intended so that people who feel interested in managing land rights certificates can find out important information needed by the community

7. Land Flow Chart

The Land Flow Chart is equipped with:

- a. Required document requirements;
- b. The amount of the fee is in accordance with the standards determined by the regulations;
- c. The period of completion of apparatus services;
- d. Legal basis.

B. Factors Inhibiting the Performance of the Land Agency in Issuing Certificates in Banjar Regency

1. Lack of Human Resources (hereinafter referred to as HR)

Low human resources will hinder the performance of the Banjar Regency land agency in processing the issuance of certificates applied for by the community.

2. Lack of Community Understanding in Menu Requirements

Obstacles to the service of making land certificates at the Banjar Regency land office, most of them are mistakes from the community themselves who do not pay attention to the requirements, so that the time to make it becomes less smooth.

3. Lack of Computer Infrastructure

The lack of computer infrastructure as the main supporting infrastructure for the work, inadequate work facilities hinder the performance of the Banjar Regency land agency in completing its work

4. Low Ability of Apparatus Providing Services Regarding Land Information

The low level of land information so that all parties can carry out their functions must be updated immediately so that each land agency apparatus in Banjar Regency can work optimally efficiently.

5. Apparatus Involving Cross-Section Encounters Many Obstacles

The existence of a splitting/splitting process followed by the transfer of rights, procedures from the tax office regarding BPHTB and income tax payments need to be evaluated and improved quickly.

6. Inadequate Warkah Storage Space

Inadequate storage space for warkah is one of the obstacles to the performance of the Banjar Regency land agency. Warkah as authentic evidence in determining who is right from the problematic party.

7. The security of the Banjar Regency Land Agency in working often receives disturbances and threats

The existence of threats and intimidation both from thugs, brokers or land brokers and even from law enforcement personnel greatly interferes with the performance of the Banjar Regency land agency in working

CONCLUSION

The performance of the Banjar Regency Land Agency in issuing certificates is still not optimal, as can be seen from several aspects. In terms of apparatus performance, the agency's staff in issuing certificates in Banjar Regency still depend on remuneration for services from applicants or their proxies. Service discrimination is also evident, as differences in treatment from the land agency toward the community can still be found. Regarding the apparatus's perception of work, irregularities still occur in how staff perceive their duties while carrying them out. In terms of responsiveness, there are numerous complaints about the agency's performance in mapping and measurement, in making survey drawings or maps of land plots, and in issuing land certificates. Finally, accountability at the Banjar Regency Land Office remains lacking, as reflected in the considerable unrest and complaints from the community. Several factors support the performance of the Land Agency in issuing certificates in Banjar Regency, namely staff discipline; the existence of the LARASITA (People's Service Car for Land Certificates) program; the existence of the PTSL (Complete Systematic Land Registration) program; the existence of a Computerized Land Office (KKP) system; the availability of a waiting room for the community; the existence of an information board; and the existence of a land flow chart. On the other hand, several factors hinder the performance of the Land Agency in issuing certificates in Banjar Regency, namely a lack of human resources; a lack of public understanding in meeting the requirements; a lack of infrastructure in the form of computers; the low ability of the apparatus providing services related to land information; the numerous obstacles experienced by apparatus involved in cross-sectional coordination; inadequate storage space for warkah (land document files); and the absence of a guarantee of safety for the Banjar Regency Land Agency apparatus while at work.

REFERENCES

- Amilio, F. (2025). Penerapan asas kepastian hukum dalam hukum agraria terhadap pembatalan sertifikat cacat administratif (Studi Putusan No. 81/G/2023/PTUN.SBY). *Judge: Jurnal Hukum*, 6(3), 684–698. <https://doi.org/10.54209/judge.v6i03.1550>
- Bahari, S., Panca, M., Sinaga, P. M., Mbunai, L. O., & Putri, Z. M. (2025). Rekonstruksi pemaknaan hak menguasai negara menurut Pasal 33 ayat (3) UUD 1945. *JUSTLAW: Journal Science and Theory of Law*, 2(1), 3089–2414. <https://ojs.sains.ac.id/index.php/Justlaw/article/view/102>
- Dewi, D. A. S., Maitsaa'Jaudah, T., Priyono, S., & Tee-Anastacio, P. A. D. (2025). Comparative law between Indonesia and Philippines regarding the procedure for issuing replacement land certificates. *Jurnal Dinamika Hukum*, 25(2), 112–129.

- Effendi, P. (1989). *Agrarian law in Indonesia: An analysis from the perspective of legal practitioners*. Raja Wali.
- Fahrani, A., Djaja, B., & Sudirman, M. (2023). Kepastian hukum terhadap pemegang hak milik atas tanah atas penerbitan sertifikat ganda. *UNES Law Review*, 6(1), 3507–3515.
- Farhani, A., & Chandranegara, I. S. (2019). Penguasaan negara terhadap pemanfaatan sumber daya alam ruang angkasa menurut Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. *Jurnal Konstitusi*, 16(2), 235–256. <https://doi.org/10.31078/jk1622>
- Furidha, B. W. (2023). Comprehension of the descriptive qualitative research method: A critical assessment of the literature. *Acitya Wisesa: Journal of Multidisciplinary Research*, 1–8.
- Hall, S., & Liebenberg, L. (2024). Qualitative description as an introductory method to qualitative research for master's-level students and research trainees. *International Journal of Qualitative Methods*, 23, 16094069241242264.
- Harsono, B. (2008). *Indonesian agrarian law: History of the formation of the Basic Agrarian Law, its content and implementation* (Vol. 1, 9th rev. ed.). Jembatan.
- Metaferia, M. T., Bennett, R. M., Alemie, B. K., & Koeva, M. (2022). Fit-for-purpose land administration and the framework for effective land administration: Synthesis of contemporary experiences. *Land*, 12(1), 58.
- Naeem, M., Ozuem, W., Howell, K., & Ranfagni, S. (2023). A step-by-step process of thematic analysis to develop a conceptual model in qualitative research. *International Journal of Qualitative Methods*, 22, 16094069231205788.
- Nasution, N. R., & Ramadhani, R. (2023). Perlindungan hukum bagi pemegang sertifikat hak atas tanah elektronik. *Eduyustisia: Jurnal Edukasi Hukum*, 2(2), 26–32.
- Perangin, E. (1989). *Agrarian law in Indonesia*. Grafikatama.
- Pregoner, J. D. (2024). Research approaches in education: A comparison of quantitative, qualitative and mixed methods. *IMCC Journal of Science*.
- Sahnan, S. (2020). Kepastian hukum pemilikan hak atas tanah di kawasan tanah hak pengelolaan Mandalika Resort (Analisis hukum putusan Mahkamah Agung Nomor 293/K/TUN/2009). *Jurnal IUS*, 8(2), 336–349. <https://doi.org/10.29303/ius.v8i2.815>
- Sale, J. E. M. (2022). The role of analytic direction in qualitative research. *BMC Medical Research Methodology*, 22(1), 66.
- Sumarna, M. I. (2025). Pelaksanaan pendaftaran tanah sebagai upaya kepastian hukum hak atas tanah di Indonesia. *Legalitas: Jurnal Ilmiah Ilmu Hukum*, 10(2), 153–158. <https://doi.org/10.31293/lg.v10i2.9116>
- Taherdoost, H. (2022). What are different research approaches? Comprehensive review of qualitative, quantitative, and mixed method research, their applications, types, and limitations. *Journal of Management Science & Engineering Research*, 5(1), 53–63.
- Wibowo, L. R., Erdi, E., Hutabarat, S., Nurfatriani, F. N., Utomo, M., Nawireja, I. K., Pramudya, E. P., Kurniasari, D. R., Cahyono, E., & Kurniadi, R. (2023). Accelerating certification of oil palm smallholders through institutionalization of various incentives. *Forest and Society*, 7(2), 263–294.
- Zulfikar, R., Rinzani, D. M., & Nursyahda, F. A. (2024). Resolution of disputes on the use of regional government property land managed by individuals in the community linked to principles of justice. *KnE Social Sciences*, 273–287.