

LAND PROCUREMENT CONCEPT FOR PUBLIC INTEREST RELATED TO THE CONSTRUCTION OF THE HIGH VOLTAGE AIR DUCT TOWER (SUTT) IN GARDU INDUK PERBAUNGAN

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***ABSTRACT**--Land procurement is an activity that is carried out for the public interest, which aims to provide land for the implementation of development to improve the welfare and prosperity of the nation. Land procurement for public interest is a manifestation of the social function of land rights based on article 6 of UUPA. The key to the development of public interest is the implementation of land procurement organized by the State. The state has the authority to rule the state in the form of authorization to make arrangements and maintenance of the provisions, use, supplies and maintenance of the earth, water, and space. It is thus affirmed in the explanation of UU No. 2 year 2012, that the Land Law gives public authority to the State in the form of authority to administer land procurement. The land procurement for the public interest is implemented on the basic principle that is the legal basis to be achieved. of the rule of land procurement in Indonesia is a concept of law that must be enforced so that the implementation of land procurement is able to provide a broad benefit to the interests of society equally. In the construction of high voltage air duct Tower (SUTT), not apart from various obstacles, especially the obstacles faced between the state listric company with the community that has land procurement object. This article tries to discuss more in depth the concept of the procurement of land for the public interest especially in SUTT development activities in PLN Gardu Induk Perbaungan.*

***Keywords**--concept of benefit, procurement of land, public interest, SUTT*

I. INTRODUCTION

Land in human life is seen to have meaning that also has a dual function that is as social asset and capital asset. As a social asset, the land has the means of binding social unity in the community to life and life, while capital asset, land is a factor of capital in development and grow as a very important economic object.

Article 6 of UUPA (Undang-Undang Pokok Agraria) confirms that "all rights to the land have a social function," this underpins the nature of the togetherness or community of any right to land. The general explanation of the UUPA that any right to land that exists in a person, is not justified, that the land will be used (or not used)

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solely for his or her personal interests, especially if it raises Loss for the community. Therefore, the public interest and the interests of the individual must be balanced, which eventually leads to the basic purpose of prosperity, justice and happiness for the whole community.

An understanding of the public interest, in general, is affirmed in article 18 of UUPA that, the public interest including the interests of the nation and the nation as well as the common interests of the people, land rights can be revoked, by giving appropriate damages and according to manner governed by the Act. Further implemented in UU No. 20 years 1961 concerning the revocation of rights on land and objects on it.

SUTT Tower Development is a form of development for the provision of infrastructure and public interest. The construction of SUTT Tower as part of electric power system is certainly require land availability, namely by means of public land acquisition. The principle of the benefit of land procurement activities is an important part that must be considered. In the explanation of article 2 letter (c) UU NO. 12 year 2012 stated that the principle of benefit is the result of land procurement is able to provide broad benefits for the interests of society, nation, and country. Therefore, this article will give an overview of the principle of the benefit that is the basis of the truth from the construction of SUTT tower, especially Gardu Induk Perbaungan, including barriers and land procurement process in the development.

Based on the explanation above, it is necessary to further analyze the concept of land procurement in terms of the development of SUTT tower and the obstacles faced by PLN in the development process of SUTT tower, especially in Gardu Induk Perbaungan .

II. LITERATURE REVIEW

1.1 Land procurement for public interest

The state has the authority to take back the land of society through a land procurement agency which is an effort to implement the control rights of the State by taking land to be utilized in development. The appropriate and fair compensation activities of the land to the right of the provision of article 1 No 2 Presidential Regulation No. 148 year 2015 on Fourth Amendment to presidential Regulation No. 71 year 2012 about Land procurement for development for public interest.

At present, development for the public interest on state-owned land is very difficult. Therefore, the solution that is taken is to make the land procurement, which aims to realize the development for the public interest. UU No. 2 year 2012 Article 1 Item 2 describes the procurement of land as an activity to provide land by providing reasonable and fair compensation to the parties entitled to the purpose of the land procurement for the public interest.

Land procurement is done for the implementation of development that is expected to improve the welfare and prosperity of the nation, state and society by still ensuring the legal interests of the parties that have rights.

Operations, the public interest is difficult to formulated but in order to take public lands it is necessary to affirm that the general interest is the basis of certain criteria so that the procurement of land must comply with applicable law. The scope of activities that include the public interest, the following expressed the general interest of article 10 UU No. 2 year 2012 set 18 categories that include the general interest:

1. National defense and security;

2. Public roads, toll roads, tunnels, railway lines, railway stations, and railway operations facilities;
3. Reservoirs, dams, burps, irrigation, drinking water drains, drainage and sanitation, and other irrigation buildings;
4. Ports, airports, and terminals;
5. Oil, gas and geothermal infrastructure;
6. Power plants, transmissions, substations, networks, and distribution of power;
7. Government telecommunications and Informatics network;
8. Disposal and garbage processing;
9. Government/local Government hospitals;
10. General safety facilities;
11. Public burial place of the government/local government;
12. Social facilities, public facilities, and public green open spaces;
13. Nature Reserve and cultural reserve;
14. Government Office/Local government/village;
15. The arrangement of urban slums and/or land consolidation, as well as housing for low-income communities with lease status;
16. Education infrastructure or school government/local government;
17. Government/local Government sports infrastructure;
18. Public markets and public parking

2.2 High Voltage Air Duct (SUTT) Tower

The high voltage air duct (SUTT) is an electric power channel that uses bare wire (sender) in the 150 kV-voltage air in accordance with the standard in the electricity field. Transmission, is transmitting power from the generation to the distribution system or to the consumer or the transmission of electrical power between systems.

The 150 kV high Voltage air channel, which is used to transmit energy from large-scale electrical centers, such as Paiton. With the transmission network that channeling electrical energy from the generation centers, the development of power plants should not be in the industrial center, but can be constructed in the area of energy sources, while the electricity is transmitted through High Voltage air duct (SUTT). Once power is routed through the transmission line, the mains power in the parent Gardu (GI) is to be lowered through the voltage-lowering transformer to medium-voltage (TM) or which is also called the distribution voltage Primary. The primary distribution voltage used at this time is 20 kV voltage.

SUTT is a type of electric power transmission line that is widely used in the area of Java and Bali by PLN because of the cheaper price compared with other types coupled with an easy maintenance to enhance its excellence. SUTT is built through a safe design process for the environment where it complies with international safety standards that are on the altitude of the sender wire, cross section of sender wire, insulation power, electric field and magnetic field. In electricity system there are several types of airway Jenid namely SUTT 70 kV, SUTT 150 kV and extra high voltage air duct (SUTET) 500 kV.

In Indonesia, the electrical system has not been fully integrated with electric power transmission, which now has an integrated electrical system only exists on the island of Java-Madura-Bali where the three islands have had

2 systems The interconnection is SUTET 500 kV as the main backbone (Back Bone) network and SUTT 150 kV as support network.

1.2 Gardu Induk

The parent substation is an installation consisting of a set of electrical appliances arranged according to a specific pattern with technical, economical and beauty considerations. The parent substation is a sub system of the transmission system of electrical power or a single shutdown of the transmission system. Transmission itself is a sub system of electrical power. This can be interpreted as a subsystem of electrical power that has an important role in its operation which can not be separated from the transmission system as a whole.

The parent substation serves to transform extra high voltage power to high voltage (500 KV/150 KV), high voltage power to lower voltage (150 KV/70 KV) and continuous intermediate tension (150 KV/20 KV, 70 KV/20 KV), and with fixed frequency (for Indonesia 50 Hertz). The parent garage also serves as a measurement, operation supervision and security of the electric power system. The service of the power to the substation to the other substations through the high voltage and from the distribution stations that have been the process of voltage loss of the medium voltage (feeder).

III. CONSTRUCTS

1.3 Principle of the benefit of basic norms for land procurement for SUTT Tower Development

The principle of benefit is the principle that accompany justice and the certainty of the law above. In carrying out the principle of justice and legal certainty should pay attention to benefits for the general public. Principle of benefit according to article 2 letter C UU NO. 2 year 2012, which is meant by the principle of benefit is the result of land procurement is able to provide benefits widely for the interests of society, nation, and country.

The community expects benefits in implementation or enforcement. The law is for man, then the implementation of law or the enforcement of law must give benefits or usefulness to society, do not be precisely because the law is implemented or enforced in fact will arise unrest in the community itself.

The procurement of SUTT Tower begins with land procurement. The provision of land procurement for the public interest according to the provisions of article 10 LAW No. 2 of 2012, one of which is used for the development of plants, transmission, substations, networks, and distribution of electrical power. PT. PLN as a trusted party and received a special assignment from the Government to implement the development of electricity infrastructure.

In order to efficiency and effectiveness if seen from the area of land to be released, then the land procurement by PT PLN divided into 2 groups, namely:

1. Land procurement with assignment is the procurement of land for general fullness of more than 5 hectares that the implementation of the release is conducted by the Land Procurement Committee established by the Governor.
2. The procurement of land without assignment is the procurement of land for the public interest of not more than 5 hectares, can be done directly by the agency that requires the land of PT PLN with the right party.

The PLN Land Procurement Committee is a land procurement committee appointed and appointed by the Director or official one level under the board of Directors or General Manager/head of Unit. The membership of PLN Land Procurement Committee is odd and at least 7 people consist of: a). Common elements; b). Elements of Law; c). Financial elements; d). Elements of engineering, and where necessary, membership of the Land Procurement Committee may involve agencies outside the PLN (National Land Agency (BPN), local Muspida).

Government in terms of procurement of land for the public interest must be able to ensure the welfare of the people to the development is not only beneficial in part, in carrying out the land rights revocation used to Development of the public interest of the government should be fair in giving compensation to the people who have rights to the land. Deliberation in the price of land that is used as an object of liberation between the Government and people who have land rights, is an effective way to give a sense of justice to the people. While the price can be agreed in deliberation there is no element of compulsion from the government but based on the awareness of the rights holder on the land, then the sense of justice can be achieved, will etapi sense of justice far felt by the public if in Land procurement process of indemnity payment is done by force through consignment institution in this case the court as a place of indemnity that has been appointed by the government. UU No. 2 of 2012 article 1 number 10 affirms the indemnity is the change to the eligible and fair parties. It may sound good to be executed according to the one described. However further in that the procurement of land for the public interest must be by principle of humanity, justice, justice, benefit, certainty, openness, agreement, participation, welfare, sustainability, and harmony.

1.4 Barriers in land procurement for SUTT development at Gardu Induk Perbaungan

The issue of compensation in land procurement is a problem that can usually inhibit land procurement, people often can not receive land prices that have been set by the government because it is considered too low and can not guarantee Further life welfare. The price assessment based on the calculation of tax object selling value (NJOP) on land to be used as a place of development is very relatively low not in accordance with the market price. NJOP is also a preliminary issue in pricing.

Procurement of land for this public interest in the interpretation is also not uncommon to cause problems, the Government assessing the procurement of land is important as a social function that can provide facilities and prosperity of people in general but on the other side People exposed to land procurement often do not accept as a development for the public interest because it considers it can be detrimental. The public interest in land procurement needs to be assigned special criteria so that in setting the development location of public interest is in accordance with indications of the public interest.

Deliberation in the price of land that is used as an object of liberation between the Government and people who have land rights is an effective way of providing a sense of fairness to the people while pricing can be Agreed in the deliberation because there is no element of compulsion from the government but based on the awareness of the rights holders of the land. But the sense of justice is far felt by the public if in the land procurement process the indemnity payment is done by compulsion through the consignment agency in this case the court as a place of indemnity that has been set by the government And or judgment that has had a fixed legal force. Maria S.W. Sumardjono said, indemnity can be called fair when the situation after the acquisition of land is at least the

economic social condition equivalent to the previous state, besides there is a guarantee against the survival of those who are displaced.

In addition to the obstacles that occurred in the construction of the SUTT Tower is a concern about the impact of the development of SUTT Tower and electrical infrastructure, the impacts are:

a. Social Community

The occurrence of unrest and fear caused by the emergence of unsafe to danger of accidents that could be caused from the network are accidents caused by lightning strikes, cable disconnection or tower foundation disruption due to changes in land structure that poses problems related to land acquisition and transfer of residents to areas outside the electrical infrastructure line. In addition to the emergence of ongoing health concerns caused by electromagnetic wave radiation.

b. Economy

Macro may be the construction of SUTT Tower and and electrical infrastructure implicates the welfare of the people because it is able to increase industrial activity in Indonesia so that GDP increases. But on one side of the construction of high-voltage networks can cause "civil death" for the value of land crossed by SUTT, so that if the landlord intends to sell the land, then the sale price of the land will fall and be below the selling price is not skipped the line (even if anyone wants to buy it), or also the owner of the land to optimize the land by establishing a multi-storey building he will have problems with the establishment of the building, or if he wants to Planting trees He will be banned from planting within a certain height limit.

c. Health

WHO concluded that not much influence is inflicted by the electric field to 20 kV/m in human and electric field until 100 kV/m does not affect the health of animal experiments. In addition, experiments of some volunteers on 5 mT magnetic fields have little effect on the results of clinical and physical trials.

IV. RESULTS

Land-rights social function is an important part of running a land procurement system. The procurement of land aimed at realizing the development must be based on the principle of benefit and fairness. Development for the provision of infrastructure and public interest, among others, the construction of high voltage air duct Tower (SUTT). Development for the public interest requires the land that follows implemented by promoting the principles contained in the Land procurement act.

The liberation of community land became a major obstacle in the construction of the high voltage air duct tower, the obstacle in relation to the problem of compensation due to land prices based on the value of selling tax objects that are not suitable or far below the market price. Another obstacle is the concern about the impact of the development of SUTT Tower and electrical infrastructure in both social and economic communities. Constraints in the maintenance of SUTT tower in the landlines of Perbaungan are technically much due to climate/weather conditions, such as lightning strikes.

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