

Legal Responsibility of Land Deed Officials in Overcoming Abuse of Land Sale and Purchase Deeds

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Abstract

The Deed of Sale and Purchase (AJB) is a critical element in land transactions in Indonesia, requiring legal validity to ensure the certainty of land ownership status. However, the misuse of AJB, including document forgery by the Land Deed Official, has led to legal disputes that harm various parties and undermine public trust in the land law system. This study aims to analyze the legal responsibility of The Land Deed Official in addressing the misuse of AJB by identifying obstacles in task execution and potential violations. The research method used is a qualitative approach with case studies of land disputes involving The Land Deed Official, as well as an analysis of relevant regulations related to the duties and supervision of The Land Deed Official. The study also aims to provide policy recommendations to enhance The Land Deed Official accountability and strengthen a more transparent and accountable land system. The Land Deed Official plays an essential role in ensuring the legality of land sale transactions in Indonesia by verifying related documents, such as land certificates and tax payment evidence, in accordance with applicable regulations. Misuse of the AJB by The Land Deed Official can undermine legal certainty, trigger land disputes, and hinder economic growth. To prevent this, stricter supervision, the application of technology for transparency, and strict enforcement of sanctions in the land system are required.

I. Introduction

Akta Jual Beli (AJB) is a legal document that has an important position in the process of buying and selling land in Indonesia. As an authentic evidence, AJB not only serves to record the transfer of land rights but also ensures legal certainty over land ownership status in accordance with Article 1868 of the Civil Code (Putri & Purwaningsih, 2024). This document is the main requirement for the registration of land rights transfers at the National Land Agency (BPN), as stipulated in Article 37 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration. In this case, the Land Deed Official (PPAT) plays a strategic role as the party authorized to prepare AJB based on the Head of BPN Regulation Number 1 of 2006 concerning Provisions for the Implementation of PPAT, with the aim of maintaining the validity and transparency of land sale and purchase transactions.

The relevance of AJB in the context of land law in Indonesia is very significant, especially in efforts to create legal certainty for all parties involved in buying and selling land. This certainty not only reduces the potential for land disputes, but is also the basis for economic development based on clarity of land rights. However, in reality, the misuse of AJBs by irresponsible parties, including PPATs who are negligent or involved in document manipulation, has led to legal and social problems. For example, cases of AJB forgery involving PPATs often lead to prolonged legal disputes in court and huge losses for the community. Data from various land disputes show that many conflicts occur due to negligence in the process of making AJB, such as not adequately verifying documents, which should be the main task of PPAT in accordance with legal provisions (Sudharma dkk., 2024). This context shows the urgency of strengthening supervision of PPATs and increasing integrity in the performance of their duties. In an era marked by the digitization of land services as encouraged by the Regulation of the Minister of Agrarian and Spatial Planning/Head of BPN Number 3 of 2021 on Electronic Certificates, the role of AJB and PPAT in creating legally valid transactions remains crucial. Uncertainty and conflict arising from the misuse of AJB not only harm the buyer and seller, but also threaten public confidence in the land law system in Indonesia.

The misuse of Sale and Purchase Deeds (AJB) involving Land Deed Officials (PPAT) has become a serious problem in the land law system in Indonesia. Several cases have shown document falsification by PPATs, where data that should be strictly verified is ignored or even manipulated for certain interests (Adistia, 2024). This forgery violates Article 263 of the Criminal Code (KUHP) on document forgery and could potentially result in the cancellation of recorded land rights. In addition, there was also the practice of issuing AJBs without following the legal procedures as stipulated in Article 37 paragraph (1) of Government Regulation No. 24/1997, which requires that land sale and purchase transactions

must be reported to the Land Office to officially record the transfer of rights. As a result of these violations, many parties, including buyers, sellers and third parties, suffered material and immaterial losses.

The impact of AJB misuse is detrimental, both to individuals and the legal system as a whole. Protracted land disputes often stem from illegally executed deeds, leading to uncertainty over the status of land ownership. Such cases not only burden the aggrieved party, but also the judicial system, given that resolving land disputes requires a long time and complex legal process (Dalimunthe, 2021). Furthermore, the uncertainty created by the misuse of AJB undermines public confidence in the integrity of PPAT, which should be at the forefront of ensuring the legality of every land sale and purchase transaction.

Lack of supervision of PPAT is one of the main causes of this violation (Faridah dkk., 2023). The National Land Agency (BPN) as the competent authority, despite having a supervisory mechanism through Regulation of the Minister of Agrarian and Spatial Planning/Head of BPN Number 2 of 2018 on Supervision and Guidance of PPATs, often faces obstacles in its implementation. One of the main obstacles is the lack of adequate human resources and technology to monitor thousands of PPATs throughout Indonesia. In addition, sanctions against violating PPATs, as stipulated in BPN Head Regulation No. 1/2006, are often considered too light or rarely applied strictly, thus not providing a deterrent effect. As a result, PPATs who commit violations are still able to operate and even repeat the same violations. This issue is increasingly urgent to address in the context of the development of a digital-based land system. With the implementation of electronic land certificates through Regulation of the Minister of ATR/BPN Number 1 of 2021, the potential for misuse of AJB may increase if there is no strict supervision of PPAT and the digital verification process. In this situation, strengthening regulations, enforcing sanctions, and increasing the supervisory capacity of BPN are very important to prevent and overcome the misuse of AJB in the future.

The Land Deed Official (PPAT) has a very strategic role in maintaining the legal validity of the Sale and Purchase Deed (AJB). As an enforcer of legal integrity, PPAT is responsible for ensuring that every land sale and purchase transaction is carried out in accordance with applicable regulations, including ensuring the validity of the documents submitted by the parties (Murni, 2021). In accordance with Article 39 of Government Regulation No. 24/1997 on Land Registration, PPATs are required to verify supporting documents such as land certificates, identity cards (KTP), and tax payment receipts before preparing AJB. These steps aim to prevent any misuse or manipulation of data that could harm the parties involved in the transaction. In this role, the PPAT must act as a neutral and professional party, ensuring every process goes according to legal procedures and protecting the rights of all parties.

The legal consequences for PPATs who violate their obligations are strictly regulated in various laws and regulations (Prawira & Yoga, 2016). Based on

Article 62 paragraph (2) of Law Number 5 Year 1960 on Basic Agrarian Regulations, PPATs who are negligent or intentionally violate procedures may be subject to administrative sanctions in the form of license revocation, as further regulated in Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 2 Year 2018 on Supervision and Development of PPATs. In addition, if there is an element of intentionality that leads to unlawful acts, PPAT can be the subject of lawsuits both civilly and criminally. In the civil realm, PPAT can be sued based on Article 1365 of the Civil Code (KUHPperdata) related to unlawful acts that cause losses to other parties. Meanwhile, in the criminal realm, PPATs involved in document forgery or issuance of fake AJs can be charged under Article 263 of the Criminal Code (KUHP).

Recent cases have seen claims against PPATs due to negligence in the document verification process, resulting in substantial losses for buyers or sellers. In some cases, courts have held PPATs liable for material losses suffered by victims because they were deemed not to have performed their duties with due care (Akhmaddhian & Agustiwi, 2016). This confirms that the role of PPAT in maintaining the legal validity of AJB is not just an administrative formality, but also a responsibility that has broad legal and social impacts. Strengthening supervision and periodic training of PPATs are important steps to ensure legal integrity in land transactions in Indonesia.

The misuse of Sale and Purchase Deeds (AJB) by Land Deed Officials (PPAT) has a wide impact, not only on individuals but also on society and the country as a whole. From the social side, cases arising from the manipulation of AJB or violation of procedures by PPAT have led to an increase in agrarian conflicts in various regions. These conflicts often occur due to uncertainty over land rights triggered by legally flawed deeds (Rokhana, 2024). In many cases, communities have lost trust in PPATs, who are supposed to be the guardians of the legality of land transactions. This distrust has an adverse impact on social relations at the local level, especially when disputes involve multiple parties, including families and communities.

The legal impact of the misuse of AJB is also very significant, especially in the form of a buildup of cases in court. Land disputes are one of the most common types of cases filed in district courts and state administrative courts (Prahadini, t.t.). This puts a burden on the judicial system, as land cases usually take a long time to resolve due to the complexity of evidence and documents. Non-compliance with regulations such as Article 37 of Government Regulation No. 24/1997 on Land Registration, which requires all land transactions to be legally registered, is at the root of many cases that end up in court. As a result, this lengthy legal process often creates frustration among the public who expect speed and justice.

From an economic perspective, the misuse of AJB and the resulting legal uncertainty has a negative impact on the investment climate, particularly in the property sector. Investors, both domestic and foreign, tend to be reluctant to invest in a sector that does not provide adequate legal security over the assets

they own. Uncertainty related to land ownership status, especially caused by AJB manipulation, reduces investment attractiveness and slows economic growth in the sector (Triana dkk., 2024). In this context, regulations such as the Regulation of the Minister of ATR/BPN Number 3 of 2021 on Electronic Certificates aimed at increasing the transparency and efficiency of land services are strategic steps, but their implementation must be supported by strict supervision of PPAT so that the economic impact can be felt in real terms. The social, legal and economic implications of AJB abuse emphasize the importance of the state's role through more effective regulation and supervision. This step is needed to minimize potential violations and ensure public trust in the land law system is maintained. The purpose of the research on the legal responsibility of the Land Deed Official (PPAT) in tackling the misuse of Sale and Purchase Deed (AJB) is to provide a comprehensive understanding of the role and legal obligations of PPAT based on the prevailing laws and regulations. This research aims to identify the main obstacles in the implementation of PPAT duties, including potential violations, such as forgery or manipulation of documents, which are often at the root of various land disputes (Darusman & others, 2016). In addition, this research also aims to explore preventive measures that can be taken to improve the accountability of PPATs, in accordance with Government Regulation No. 24/1997 on Land Registration and Regulation of the Minister of Agrarian and Spatial Planning/Head of BPN No. 2/2018 on Supervision and Guidance of PPATs. The research also seeks to identify the social, legal and economic impacts arising from the misuse of AJBs, as well as how recent regulations, such as the Minister of ATR/BPN Regulation No. 3 of 2021 on Electronic Certificates, can support transparency and efficiency in land transactions. As such, this research aims to provide policy recommendations that can strengthen supervision of PPATs, uphold integrity in the AJB making process, and create a more trusted land law system. The results of the study are expected to be a reference for policy makers, law enforcement officials, and the public in understanding the importance of PPAT's legal responsibility as a guarantor of the legality and validity of AJB.

2. Research Method

The research method used in this research is normative juridical legal research, which aims to examine the laws and regulations governing the legal responsibilities of the Land Deed Official (PPAT) in the process of making a Sale and Purchase Deed (AJB) and the impact of misuse of AJB. This research uses a literature approach by analyzing relevant laws and regulations, such as the Civil Code (KUHPerdota), Government Regulation Number 24 of 1997, and Regulation of the Minister of Agrarian and Spatial Planning/Head of BPN Number 2 of 2018, as well as case studies involving the misuse of AJB. Thus, this study aims to explore the legal problems that occur in the practice of making AJB, as well as provide policy recommendations that can improve the supervision system and integrity of PPAT.

The Authority and Responsibility of PPAT in Maintaining the Legality of Land Sale and Purchase Transactions

The Land Deed Official (PPAT) has a very strategic role in Indonesia's land system as an official authorized to make authentic deeds for certain transactions, including the sale and purchase of land. The main function of PPAT is to ensure that every transaction involving land is carried out in accordance with applicable legal procedures, so as to provide legal protection to the parties involved (Utomo, 2020). In this context, the PPAT is responsible for ensuring the validity of the documents on which the deed is based, such as land certificates, identity documents, and proof of tax payment. This role is expressly regulated in Article 37 paragraph (1) of Government Regulation No. 24/1997 on Land Registration, which stipulates that a deed made by a PPAT becomes a mandatory requirement to register the transfer of land rights with the National Land Agency (BPN).

The urgency of maintaining legality in land sale and purchase transactions is increasingly high considering the many potential disputes that can occur due to negligence or abuse of authority. Land is an important asset with high economic and social value, so the legality of land transactions is key in preventing prolonged agrarian conflicts. The legality of deeds made by PPAT not only provides legal protection for the parties involved but also plays a role in creating legal certainty more broadly. This certainty is an important foundation for economic development, especially in the property sector, which relies heavily on investor confidence in the land system (Barkatullah & others, 2019). Thus, the integrity of PPATs in carrying out their duties is an important element in maintaining legal and social stability.

In recent years, the reform of the land system through digitization, as stipulated in the Regulation of the Minister of Agrarian and Spatial Planning/Head of BPN Number 3 of 2021 on Electronic Certificates, has further emphasized the relevance of the role of PPAT. This regulation aims to increase transparency and efficiency in the management of land documents. However, the success of this reform relies heavily on the accountability of the PPAT in ensuring that all documents on which the deed is based have been carefully verified. With this crucial role, PPATs not only act as legal document preparers but also as guarantors of the integrity of land transactions in Indonesia.

Land Deed Officials (PPATs) have important authority in Indonesia's land law system, as stipulated in Article 1 point 24 of Government Regulation No. 24/1997 on Land Registration. In this regulation, a PPAT is defined as a public official who is authorized to make authentic deeds related to the transfer of land rights and certain other rights. Deeds made by PPATs have a position as the main evidence in the land administration process, thus becoming the legal basis for land registration at the National Land Agency (BPN). This emphasizes the role of PPAT as the guardian of the legality of every land-related transaction, ensuring that the documents produced

have reliable legal force.

The authority of PPATs is further emphasized in Article 37 paragraph (1) of Government Regulation No. 24/1997, which states that the transfer of land rights can only be registered if evidenced by a deed made by a PPAT. This provision gives PPATs a great responsibility to ensure that every land sale and purchase transaction meets the formal and material requirements. In carrying out this duty, PPATs are obliged to check the validity of supporting documents such as land certificates, the identity of the parties, and proof of tax payment, as well as ensure that the transaction is conducted voluntarily without coercion. This authority not only aims to protect the interests of the parties involved, but also to support legal certainty in the management of land assets nationwide. Thus, PPATs not only function as administrative intermediaries, but also as guarantors of integrity in land transactions. Deeds made by PPATs become a bridge between private transactions and state recognition of changes in the legal status of land. The authority assumed by PPATs, in accordance with applicable regulations, serves to prevent the misuse or manipulation of documents that can harm many parties and lead to disputes in the future (Rosadi, 2020). In this context, the role of PPAT becomes very strategic in supporting justice and legal clarity in the Indonesian land sector.

The Land Deed Official (PPAT) has the main function as the guardian of legality in every land sale and purchase transaction, with responsibilities focused on verifying the validity of supporting documents. In accordance with Article 39 of Government Regulation No. 24/1997, PPATs are obliged to check documents such as land certificates, the identity of the parties involved, as well as proof of tax payment before preparing an authentic deed. This verification process is an important step to ensure that the land that is the object of the transaction has no legal problems, such as disputes, falsification of documents, or other unrecorded rights burdens. In addition, the examination of identity documents and tax payments also ensures that the parties involved are legal subjects and have fulfilled their tax obligations, as stipulated in Article 91 of Law Number 28 Year 2007 on General Provisions and Tax Procedures.

As part of their obligations, PPATs must also ensure that the transactions they facilitate are in accordance with applicable legal provisions. This includes attesting that the transaction is voluntary and without coercion, and recording all relevant data and facts in the deed. Deeds prepared by PPATs not only serve as authentic evidence, but also become an administrative requirement for the registration of land rights transfers at the National Land Agency (BPN). In carrying out this function, PPATs have the responsibility to prevent violations of the law, either caused by negligence or deliberate actions of certain parties (Urip Santoso & others, 2019). Therefore, the PPAT acts not only as an administrative party but also as a supervisor of legality to protect the interests of all parties involved.

In the context of recent developments, such as the implementation of electronic land

certificates based on Regulation of the Minister of ATR/BPN Number 3 of 2021, PPAT's responsibility in verifying documents has become increasingly important. This digital system aims to increase transparency, but it also opens up new challenges regarding the validity of the data used in transactions. In this situation, PPATs are expected to be able to adapt to technological changes without reducing accuracy and reliability in carrying out their function as guardians of the legality of land transactions. This function is crucial to ensure that every land transaction is not only legally valid but also safe for all parties involved.

The responsibility of the Land Deed Official (PPAT) in ensuring the legality of land sale and purchase transactions includes a series of procedural steps that must be carried out in accordance with applicable laws and regulations. One of the main steps is to check the land certificate at the National Land Agency (BPN) to ensure the legal status of the land that is the object of the transaction. This step aims to verify that the land has no encumbrance, such as a mortgage or lien, and is not in the process of a legal dispute (Kuncoro, 2015). This checking process is regulated in Article 34 of Government Regulation No. 24/1997, which emphasizes the importance of validating certificates before an authentic deed can be made. In addition, PPATs have the responsibility to check tax documents related to the transaction, including Income Tax (PPh) and Fees for Acquisition of Rights on Land and Building (BPHTB). In accordance with Article 91 paragraph (2) of Law Number 28 Year 2007 on General Provisions and Tax Procedures, PPATs are required to ensure that tax payments from the parties involved have been made in accordance with the provisions. This step not only supports tax compliance but is also an indicator that the parties have fulfilled their financial responsibilities, thus strengthening the legality of the ongoing transaction.

The next stage in the PPAT's responsibility is to draft an authentic deed based on the results of verification of documents and facts that have been obtained. In drafting, the PPAT is obliged to ensure that the deed is made in accordance with the applicable legal procedures, including recording the transaction in detail and ensuring that the parties are physically present to provide authorization. The validity of the deed is also determined by the presence of the relevant parties before the PPAT, which is an absolute requirement to ensure that the transaction is carried out voluntarily without coercion (Nanda & Velentina, 2022). The drafted deed then becomes the primary legal document required to register the transfer of land rights at the BPN, as stipulated in Article 37 of Government Regulation No. 24/1997. The PPAT's responsibility in carrying out these steps serves not only to maintain the legal validity of the transaction but also to protect the interests of all parties involved. By carrying out each procedure meticulously and in accordance with the regulations, PPATs play a key role in preventing land disputes and creating legal certainty that supports economic and social stability in the land sector.

The negligence of the Land Deed Official (PPAT) in carrying out its duties can have serious legal consequences, both in the civil and criminal realms (Ningrum dkk.,

2024). In the civil context, PPATs can be sued on the basis of unlawful acts as stipulated in Article 1365 of the Civil Code (KUHPerdata). If a PPAT's negligence, such as not verifying documents carefully or failing to follow legal procedures, causes harm to one of the parties to the transaction, then the injured party has the right to file a claim for compensation. These suits often involve claims for material losses, such as loss of land rights, or immaterial losses relating to reputation and stress from legal conflicts.

In addition to the risk of civil lawsuits, PPATs also face the threat of administrative and criminal sanctions if violations of the law are found. Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency No. 2/2018 on the Supervision and Guidance of PPAT stipulates that PPATs who are proven to have committed administrative violations, such as neglecting to comply with deed-making provisions or engaging in actions that violate professional ethics, may be subject to sanctions in the form of written warnings, license suspension, and revocation of authority as a PPAT. On the other hand, if the negligence is accompanied by elements of intent or actions that violate criminal law, such as document forgery or abuse of authority, the PPAT can be charged with criminal articles, such as Article 263 of the Criminal Code (KUHP) on document forgery.

The consequences of PPAT's negligence emphasize the importance of integrity and accountability in the performance of their duties. In addition to maintaining the reputation of the profession, PPAT compliance with laws and regulations is also an effort to protect the public from potential losses caused by legally flawed deeds (Qamar & Rezah, 2017). In the era of growing land digitization, such as with the enactment of Minister of ATR/BPN Regulation Number 3 of 2021 concerning Electronic Certificates, PPATs are expected to carry out their duties more professionally to avoid legal risks that can harm many parties.

The negligence of Land Deed Officials (PPATs) is often caused by a number of obstacles encountered in the performance of their duties. One of the main obstacles is the lack of resources available to conduct in-depth document verification. In many cases, PPATs have to handle various complex documents in a short period of time, resulting in a higher risk of negligence or mistakes. In addition, the complexity of the rules in the land law system (Kosasih & Haykal, 2021), which includes regulations such as Government Regulation No. 24/1997 on Land Registration and a number of regulations of the Minister of ATR/BPN, often pose a challenge. The lack of harmonization and updating of rules that are adaptive to technological developments can also exacerbate the situation, causing PPATs to face difficulties in ensuring compliance with all applicable legal provisions.

The risk of document manipulation in PPAT duties is also a serious concern. Actions such as data falsification or abuse of authority by certain parties, including negligent or unneutral PPATs, can create far-reaching negative implications. These manipulations not only harm the parties to the transaction but also undermine

public confidence in the integrity of the land system. When public trust is compromised, the security of the transaction becomes questionable, which in turn has the potential to increase the number of land disputes. This kind of negligence emphasizes the need for stricter supervision of PPATs to prevent misuse of documents that can lead to legal and social conflicts (Zulfikar & Basri, 2024).

From a legal and social perspective, the role of PPAT in maintaining legal certainty is very significant. By making authentic deeds that are valid and fulfill the provisions of laws and regulations, PPATs directly contribute to reducing the potential for land disputes. Deeds made by PPATs become the main legal evidence recognized in the dispute resolution process, thus providing protection to the parties involved. In addition, the success of PPATs in performing their duties well also strengthens public confidence in the land law system, which is the basis for social and economic stability in land asset management (Marpaung & Batubara, 2023).

Supervision of PPATs is an important element in ensuring their accountability. The National Land Agency (BPN) has a strategic role in overseeing the implementation of PPAT duties, including through evaluation and coaching mechanisms as stipulated in Minister of ATR/BPN Regulation No. 2/2018. This supervision aims not only to detect violations but also to provide guidance that can improve the quality of PPAT services. In addition, periodic training and strengthening PPAT's professional capacity is necessary to face new challenges in the land system (Choerunnisa dkk., 2023), including adaptation to digitalization through electronic certificates as stipulated in the Regulation of the Minister of ATR/BPN Number 3 of 2021. With an integrated approach, PPATs can be better prepared to play their role in supporting a secure, transparent and reliable land system.

Strengthening the authority and responsibilities of Land Deed Officials (PPAT) requires strategic steps to ensure that they can carry out their duties professionally and in accordance with the development of the modern land system. One of the main steps is the evaluation and revision of regulations governing the obligations and sanctions against PPATs (Suryohadioprojo, 2005). Currently, regulations such as the ATR/BPN Ministerial Regulation No. 2/2018 provide a legal basis for guidance and supervision, but more firmness is needed in regulating sanctions for violations, including administrative sanctions up to license revocation. In addition, the implementation of digital systems, as stipulated in Ministerial Regulation ATR/BPN Number 3 of 2021 on Electronic Certificates, can facilitate verification of land documents and improve data accuracy. With this system, administrative processes that have been prone to manual errors can be minimized, thus supporting the transparency and efficiency of PPAT work.

Improved supervision is also a crucial aspect in strengthening the responsibilities of PPATs. The National Land Agency (BPN) needs to optimize supervisory mechanisms through regular inspections and audits of PPATs to ensure compliance with legal procedures. In addition, an easily accessible public complaint mechanism is needed

to report alleged violations committed by PPATs. This mechanism not only provides protection to the public but also serves as a monitoring tool that can assist BPN in detecting potential violations earlier. Stricter supervision will increase the accountability of PPATs, while giving the public confidence in the land system.

Education and socialization are equally important supporting elements in supporting PPAT professionalism. Periodic training should be conducted to improve the competence of PPATs, especially in facing new challenges such as digitalization of land services and enforcement of integrity in deed making. In addition, education to the public about rights and obligations in land transactions needs to be improved to prevent misunderstandings and minimize potential disputes. Communities that understand land legality procedures are more likely to be able to ensure that their transactions proceed in accordance with legal provisions (Herlambang dkk., 2020). With a combination of strengthened regulations, optimal supervision, and continuous education, PPAT can more effectively carry out its role in maintaining the legality and validity of land transactions in Indonesia.

Implications of Deed of Sale and Purchase Abuse on Legal Certainty and Public Trust

The misuse of Sale and Purchase Deeds (AJB) by Land Deed Officials (PPAT) has become one of the main causes of agrarian conflicts in Indonesia. Manipulation of AJBs, such as data falsification, negligence in document verification, or issuance of unauthorized deeds, often triggers protracted land disputes (Wongso, 2024). This conflict occurs when the legal status of the land becomes unclear, or a party feels disadvantaged due to a legally flawed transaction. In accordance with Article 37 paragraph (1) of Government Regulation No. 24/1997 on Land Registration, AJB is the main requirement in the registration of transfer of land rights, so the invalidity of the deed can have a serious impact on the legal certainty of land ownership. Data from the Consortium for Agrarian Reform (KPA) shows that most agrarian conflicts in Indonesia are related to unclear land status which is often rooted in problematic land documents, including legally flawed AJBs.

Agrarian conflicts due to the misuse of AJB also have a deep social impact, one of which is the loss of public trust in PPAT as an official who should maintain the legality of land transactions. When AJBs, which are supposed to be authentic evidence, turn out to be a source of legal problems, people begin to doubt the integrity of the land law system as a whole. This loss of trust not only impacts the relationship between the disputing individuals but also affects social relations within the community. The resulting tensions often involve multiple parties, including families and community groups, leading to long-term social impacts such as hostility between individuals, instability at the local level and disruption of harmony in the community. To address these impacts, supervision of PPATs must be improved to prevent the misuse of AJBs that have the potential to trigger agrarian

conflicts. In addition, education to the public on the importance of verifying the legality of land documents before transactions also needs to be strengthened (Gaol, 2021). With these measures, it is hoped that public confidence in the land system can be restored, and the potential for agrarian conflicts due to AJB manipulation can be minimized.

In the context of law enforcement related to land disputes in Indonesia, the accumulation of cases in the courts has become a significant issue affecting the performance of the judicial system. The ever-increasing volume of disputes, particularly those relating to land sale and purchase deeds (AJB), places a huge burden on the courts (Simanjuntak, 2021). Data shows that cases involving AJBs have further exacerbated the court backlog, with many disputes over the validity and legality of deeds issued by Land Deed Officials (PPATs). These cases not only involve conflicting ownership claims, but also involve questions surrounding legal defects in the deeds, resulting in uncertainty over the legal status of the land. Cases such as the land ownership dispute faced by Dony Yudianto and Ira Chandra Wirayang reflect this complexity, where despite physical evidence in the form of land certificates, court decisions can create confusion regarding the status of the land, especially when other parties claim rights to the land based on inheritance or different agreements (Bramastya & others, 2023).

The legal complexity of dealing with land disputes stemming from legally defective deeds is increasingly burdensome for the courts, as many cases focus on the interpretation and verification of document validity (Suwasta dkk., 2024). This can exacerbate the backlog of cases in the courts, given the lengthy and complex legal process involved in proving and rectifying incorrect or invalid deeds, which often involves multiple parties and requires further clarification of the legal status of the land. The handling of such disputes requires special attention, both in terms of clearer regulations and in providing consistent guidelines in the legal process.

However, a major obstacle in law enforcement is the weakness of regulations and procedures in handling AJB-related disputes. There are gaps and inaccuracies in the application of existing regulations, which can lead to legal uncertainty. One obvious obstacle is the non-observance by PPATs of existing regulations, such as those stipulated in Government Regulation No. 24/1997 on Land Registration. Many PPATs do not perform their duties properly in ensuring the validity of AJB documents, which in turn exacerbates the possibility of disputes. The role of the PPAT who is supposed to be the liaison to ensure the legitimacy of land transactions is often forgotten or ignored, causing protracted uncertainty in the status of land ownership that should be legally clear. Given this situation, it can be concluded that the increasing volume of land disputes, coupled with weaknesses in regulation and lack of compliance with existing regulations, is causing a heavy burden on the judicial system (Mulyadi & Satino, 2019). This requires regulatory reform as well as increased professionalism of PPATs to reduce legal defects in AJBs and ensure a

clearer and more transparent transfer of land rights.

Legal uncertainty in the property sector, especially with regard to the misuse of Akta Jual Beli (AJB), creates serious problems in legal stability and land ownership status. AJB, as a document that certifies the validity of a land or building sale and purchase transaction, is crucial for legal certainty. However, misuse or forgery of AJB by irresponsible parties can undermine confidence in the legal system (Burhanuddin dkk., 2022). This not only exacerbates the uncertainty of land status for legal owners, but also opens up opportunities for lengthy and costly disputes. In this context, legal uncertainty makes investors hesitant to invest in the property sector, which is more vulnerable to legal disputes. With the potential risk of losing assets or legal issues, many investors tend to choose to hold back or shift to other more stable sectors.

The impact of this legal uncertainty is also felt in aspects of local economic growth, especially those that rely on the property sector as the main driving force. Property is a sector that has a close correlation with economic activity in many regions, from infrastructure development to job creation. However, the legal uncertainty resulting from the misuse of AJB is hampering the flow of investment. The decline in confidence in the property sector has resulted in lower demand for property, as well as hindered financing and land purchases by entrepreneurs or individuals. As a result, the attractiveness of the property sector as a source of local economic growth is reduced. Investors facing legal risks prefer to reduce their exposure, while financial institutions tend to lower financing levels or even avoid the sector altogether, due to the high uncertainty that comes with it (Jaya, 2021).

Along with the declining attractiveness of property, the sector also plays an important role in the economy as it is able to create jobs in various related sectors, such as construction, transportation, and banking. Therefore, legal uncertainty that reduces investor confidence will have a direct impact on the economic stability of the region. Several studies have shown that legal certainty, especially involving land rights and property regulation, plays a major role in promoting stable economic growth (Riswanto dkk., 2023). In this regard, the importance of legal reforms and stricter enforcement of regulations are key to boosting confidence in the property sector and supporting local economic growth more broadly.

The urgency of strengthening supervision of Land Deed Officials (PPAT) is very important in order to maintain the integrity and validity of the land administration process in Indonesia. Despite the regulation in the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency (Permen ATR/BPN) No. 2/2018, the implementation of supervision of PPAT still faces several challenges. One of the main weaknesses is the lack of effective supervision from the National Land Agency (BPN), which leads to suboptimal implementation of PPAT duties, especially in ensuring that the process of transferring land rights is carried out in accordance with applicable legal provisions. In addition, the implementation

of ATR/BPN Ministerial Regulation No. 2/2018, which is supposed to regulate in detail the guidance and supervision of PPATs, is constrained by limitations in field monitoring and the lack of direct interaction with relevant officials at the regional level.

In addition to the problem of weak supervision, the lack of sanctions that provide a deterrent effect is also a significant issue in the supervision of PPAT. In many cases, despite administrative or ethical violations, the sanctions imposed are not strict enough to encourage behavior change or prevent similar violations from occurring in the future. Existing regulations, such as Permen ATR/BPN No. 2/2018, already include administrative sanctions for violating PPATs, but they are still not fully implemented. To overcome these weaknesses, several corrective measures need to be proposed. One of them is strengthening technology-based supervision, such as the application of electronic certificates, which can minimize the potential for misuse or manipulation of data by PPATs. This technology will not only speed up the administrative process but also enable more transparent supervision that is easily accessible to relevant parties, including the public and supervisory agencies. In addition, stricter and more consistent enforcement of sanctions, both in the form of administrative sanctions and criminal sanctions if necessary, must be implemented more seriously. In addition, continuous education for PPATs on developments in land law and professional ethics is essential to ensure that they understand their responsibilities and the consequences of unprofessional conduct (Ginting dkk., 2021). With a combination of technology, stricter law enforcement, and improving the quality of PPAT human resources, supervision of PPAT can be more effective and create a more transparent and accountable land system.

In an effort to strengthen regulations relating to the legal responsibilities of PPATs, there needs to be an affirmation of PPATs' obligation to ensure all deeds they make are legally valid, given their important role in property transactions (Aurelia dkk., 2025). Existing regulations, such as those stipulated in Government Regulation No. 37/1998, provide the basis for PPAT's responsibilities in making land deeds, but weak implementation can lead to abuse and legal uncertainty, especially when PPAT fails to check the legal status of the land to be bought and sold. One recommendation is to strengthen regulations governing PPAT's obligation to verify the suitability of documents and the status of the land before drafting the sale and purchase deed, as well as to increase sanctions against violations to prevent unauthorized practices.

Synergy between the government, the community, and law enforcement is needed to prevent the misuse of AJB. The government needs to work with the National Land Agency (BPN) and law enforcement officials to ensure that PPATs function not only as transaction recorders, but also as effective guardians of legal certainty. Strict law enforcement against PPATs who abuse their authority or neglect to check documents can be an important step to prevent bigger problems, such as property disputes that harm the public. In addition, transparency and efficiency in the AJB

creation process are essential to ensure that property transactions run smoothly and legally (Adiyanti & Pidada, 2024). One step that can be taken is to introduce electronic certificates to replace systems that are prone to forgery or clerical errors. Increased transparency in this process will not only make it easier to check and validate documents, but also increase public confidence in the land law system.

4. Conclusion

Land Deed Officials (PPATs) play a vital role in ensuring the legality of land transactions in Indonesia by being responsible for verifying every relevant document, such as land certificates and tax payment receipts, to be in compliance with applicable regulations. This responsibility not only provides legal protection for the parties involved, but also supports legal certainty and prevents land disputes. Negligence in carrying out this duty can have serious legal consequences, both civil and criminal, so it is important for PPATs to maintain integrity and professionalism in exercising their authority. With the digitalization of land, such as electronic certificates, the role of PPAT is increasingly relevant and requires adaptation to maintain transaction accuracy and transparency. Misuse of Akta Jual Beli (AJB) by PPATs can undermine legal certainty, trigger agrarian conflicts, and hamper economic growth by exacerbating legal disputes and reducing investment attractiveness. To address this, stricter supervision, the application of technology to increase transparency, and strict enforcement of sanctions are needed to ensure accountability and legal certainty in property transactions.

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