

INTISARI

Program pengadaan tanah untuk kepentingan umum berjalan dengan konsep pemberian ganti kerugian yang layak dan adil kepada masyarakat. Unsur layak dan adil hadir dalam wujud kesepakatan bentuk dan besaran nilai ganti kerugian. Tesis ini membahas penilaian ganti kerugian atas hak-hak berupa aset yang menjadi objek pengadaan tanah, serta kendala-kendala yang dihadapi saat pelaksanaan kegiatan penilaian ganti kerugian. Penelitian ini merupakan jenis penelitian yuridis normatif dan empiris, yang menggunakan pendekatan perundang-undangan (*statute approach*), pendekatan konseptual (*conceptual approach*), dan pendekatan perbandingan (*comparative approach*). Pengumpulan data sekunder dilakukan dengan penelusuran dokumen melalui studi kepustakaan yang dilanjutkan dengan penyusunan secara deskriptif. Hasil penelitian menunjukkan tahapan dalam penilaian pertanahan sesuai ketentuan perundang-undangan yang berlaku, perbandingan pengadaan tanah yang berlangsung di Indonesia dengan negara lainnya, serta kendala-kendala yang dihadapi pada proses penilaian pertanahan di Indonesia.

Kata Kunci: Layak dan Adil, Ganti Kerugian, Kendala Penilaian Pertanahan

ABSTRACT

The land acquisition program for the public interest runs with the concept of providing proper and fair compensation to the community. The proper and fair element is present in the form of an agreement on the form and amount of compensation. This thesis discusses the assessment of compensation for rights in the form of assets that are the object of land acquisition, as well as the constraints encountered during the implementation of compensation assessment activities. This research is a type of normative and empirical juridical research, which uses statutory approaches, conceptual approaches, and comparative approaches. Secondary data collection was carried out by searching documents through literature studies followed by descriptive preparation. The results of the study show the stages in land valuation in accordance with applicable laws and regulations, a comparison of land acquisition that is taking place in Indonesia with other countries, as well as the constraints faced in the land valuation process in Indonesia.

Keywords: Decent and Fair, Compensation, Land Valuation Constraints