

PENGUASAAN DAN PENDAFTARAN TANAH SECARA *ABSENTEE* KARENA PEWARISAN DI KECAMATAN BATANG ASAM KABUPATEN TANJUNG JABUNG BARAT JAMBI

Nabila Secioria Ciptaning Gusti¹ dan Dr. Sulastriyono²

INTISARI

Penelitian ini bertujuan untuk mengetahui dan menganalisis penguasaan terhadap tanah *absentee* karena pewarisan di Kecamatan Batang Asam, Kabupaten Tanjung Jabung Barat, Jambi, serta mengetahui dan menganalisis mengenai pendaftaran tanah *absentee* karena pewarisan di Kecamatan Batang Asam, Kabupaten Tanjung Jabung Barat, Jambi

Metode penelitian yang digunakan adalah metode penelitian hukum Yuridis Empiris yang pada awalnya meneliti data sekunder yang didapat dari penelitian kepustakaan, dan kemudian dilanjutkan dengan penelitian lapangan untuk memperoleh data primer. Lokasi penelitian ini di Kecamatan Batang Asam Kabupaten Tanjung Jabung Barat Jambi. Hasil analisis data disajikan secara deskriptif.

Berdasarkan hasil penelitian dapat disimpulkan bahwa: *Pertama*, Penguasaan Tanah Secara *absentee* karena pewarisan di Kecamatan Batang Asam Kabupaten Tanjung Jabung Barat Jambi masih cukup banyak. Kurangnya pengetahuan, kesadaran, penegakan hukum, dan terkait larangan kepemilikan *absentee* menjadi penyebab banyaknya kepemilikan tanah pertanian secara *absentee*. *Kedua*, Pendaftaran tanah *absentee* karena pewarisan di Kecamatan Batang Asam, Kabupaten Tanjung Jabung Barat, Jambi diperbolehkan dengan syarat melampirkan surat pernyataan *absentee* yang menyatakan bahwa selama 6 bulan terhitung dari pencatatan hak atas tanah, pemilik tanah *absentee* harus mengalihkan hak milik nya kepada orang yang bertempat tinggal di kecamatan letak tanahnya tersebut, jika selama 6 bulan tidak bisa mengalihkan haknya maka bersedia untuk melepaskan hak atas tanahnya menjadi dikuasakan kepada negara.

Kata Kunci: *Absebtee*, Penguasaan, Pendaftaran.

¹ Jl Wates km. 9,5, Argomulyo, Sedayu, Bantul, Yogyakarta

² Dosen Program Studi Magister Kenotariatan, Pascasarjana Fakultas Hukum, Fakultas Hukum Universitas Gadjah Mada.

**ABSENTEE TENURE AND REGISTRATION OF LAND DUE TO INHERITANCE
IN BATANG ASAM DISTRICT, TANJUNG JABUNG BARAT JAMBI REGENCY**

Nabila Secioria Ciptaning Gusti³ dan Sulastriyono⁴

ABSTRACT

This research aims to determine and analyze the control of absentee land due to inheritance in Batang Asam District, West Tanjung Jabung Regency, Jambi, as well as knowing and analyzing the registration of absentee land due to inheritance in Batang Asam District, West Tanjung Jabung Regency, Jambi

The research method used is the Empirical Juridical legal research method which initially examines secondary data obtained from library research, and then continues with field research to obtain primary data. The location of this research is Batang Asam District, West Tanjung Jabung Regency, Jambi. The results of data analysis are presented descriptively.

Based on the research results, it can be concluded that: First, there are still quite a lot of absentee land tenure due to inheritance in Batang Asam District, Tanjung Jabung Barat Jambi Regency. Lack of knowledge, awareness, law enforcement, and related prohibitions on absentee ownership are the causes of many absentee ownership of agricultural land. *Second*, Absentee land registration due to inheritance in Batang Asam District, West Tanjung Jabung Regency, Jambi is permitted on condition of attaching an absentee statement stating that within 6 months from the registration of land rights, the absentee land owner must transfer his property rights to a person who resides in sub-district where the land is located, if within 6 months they cannot transfer their rights then they are willing to relinquish their rights to the land so that it is transferred to the state.

Keywords: Absentee, Mastery, registration

³ Jl Wates km. 9.5, Argomulyo, Sedayu, Bantul, Yogyakarta

⁴ Dosen Program Studi Magister Kenotariatan, Pascasarjana Fakultas Hukum, Fakultas Hukum Universitas Gadjah Mada.