

EKSISTENSI *SULTAN GROND* DALAM HUKUM TANAH NASIONAL DI
DESA SRIGADING KECAMATAN SANDEN KABUPATEN BANTUL
PROPINSI DAERAH ISTIMEWA YOGYAKARTA

INTISARI

Pembentukan Hukum Tanah Nasional yang diawali lahirnya UUPA berusaha melakukan unifikasi hukum tanah adat dan barat menjadi hukum tanah yang bersifat tunggal. Dengan berlakunya Hukum Tanah Nasional melalui Undang-Undang No. 5 Tahun 1960 tentang Peraturan Dasar Pokok-Pokok Agraria dinyatakan bahwa tanah-tanah yang menjadi wewenang daerah swapraja atau bekas swapraja dengan sendirinya dihapus dan dikuasai Negara. Hal ini ditegaskan dalam diktum keempat huruf A UUPA.

Penelitian ini bertujuan untuk mengetahui eksistensi tanah-tanah kasultanan (*Sultan Grond*) dalam Hukum Tanah Nasional di Desa Srigading Kecamatan Sanden Kabupaten Bantul dan untuk mengetahui status penguasaan dan penggunaan tanah-tanah kasultanan (*Sultan Grond*) dalam Hukum Tanah Nasional oleh masyarakat di Desa Srigading saat ini.

Penelitian ini merupakan penelitian deskriptif yaitu penelitian yang dimaksudkan untuk mengumpulkan informasi mengenai status suatu gejala yang ada yaitu keadaan-keadaan gejala menurut apa adanya pada saat penelitian dilakukan, yang terdiri dari penelitian kepustakaan dan lapangan. Alat yang dipergunakan dalam pengumpulan data primer adalah observasi dan wawancara, sedangkan data sekunder diperoleh dari studi kepustakaan. Metode pengumpulan data yang digunakan adalah *purposive sampling*.

Hasil penelitian menunjukkan bahwa:

1. Eksistensi tanah-tanah *Sultan Grond* dalam Hukum Tanah Nasional, apabila ditinjau dari Undang-Undang Nomor 5 Tahun 1960 yang ditindaklanjuti dengan peraturan-peraturan terkait selanjutnya seharusnya tanah-tanah *Sultan Grond* beralih menjadi tanah negara. Tetapi peraturan-peraturan tersebut tidak dapat diimplementasikan di Daerah Istimewa Yogyakarta karena adanya Ketentuan Diktum Keempat huruf B Undang Undang Nomor 5 Tahun 1960 bagi pelaksanaan Hukum Pertanahan di Daerah Istimewa Yogyakarta, dimana Peraturan Pelaksanaan dimaksud belum ada, apabila ditinjau dari aspek keistimewaan Daerah Istimewa Yogyakarta, masih berlaku ketentuan Rijkblad Kasultanan dan Rijkblad Puro Paku Alaman, sehingga status tanahnya tidak beralih kepada Negara, tetapi masih merupakan Tanah Sultan dan apabila ditinjau dari praktik di lapangan, berdasarkan hasil penelitian *Sultan Grond* tersebut masih eksis, dimana dari pengakuan responden menyatakan bahwa tanah yang mereka tempati bukan hak miliknya, dan bukan milik pemerintahan akan tetapi milik Kraton Yogyakarta.
2. Status penguasaan dan penggunaan Tanah Sultan (*Sultan Grond*) di Desa Srigading Kecamatan Sanden Kabupaten Bantul Provinsi Daerah Yogyakarta, saat ini, berdasarkan hasil penelitian status penguasaannya berdasarkan hak pakai. Tanah Sultan (*Sultan Grond*) pada waktu sekarang di gunakan untuk berbagai keperluan pembangunan antara lain sektor pertanian/peternakan, sektor perekonomian, sektor pariwisata, dan tempat pemukiman penduduk.

Kata kunci: Eksistensi – *Sultan Grond*

THE EXISTENCE of SULTAN GROND in NATIONAL LAND LAW at SRIGADING VILLAGE, SANDEN SUBDISTRICT, BANTUL REGENCY on DAERAH ISTIMEWA YOGYAKARTA

Abstract

The Law formation of the National Land that was preceded by the birth of UUPA to tried carry out the unification of the traditional land law and western law became the united land law. The validity of National Land law taking effect with regulations No. 5 Tahun 1960 about the Regulation of the Agararia stated that lands that became the authority of the area of the self-government or the former self-government automatically were removed and controlled by the State. It was stressed in fourth diktum A of UUPA.

This research is aimed to find out the existence of kasultanan lands (Sultan Grond) in the National Land Law in the Srigading Village, Sanden Subdistrict, Bantul Regency, and to find out the status of the command and purpose of kasultanan land (Sultan Grond) in the National Land Law by the community in the Srigading Village at this time.

This research was the descriptive research that is the research that was meant to gather information concerning the status of an available sign that is sign situations according to the way it is when the research was carried out, that consisted of the bibliography research and the field. The implement that was utilised in the primary data collection was observation and the interview, whereas the secondary data was received from the study of the bibliography. The method of the data collection that was used was purposive sampling.

Results of the research showed that:

1. The existence of lands of Sultan Grond in the National Land Law, if being inspected from regulations Nomor 5 Tahun 1960 that was followed up by further related regulations necessarily lands of Sultan Grond switched to becoming the country's land. But these regulations could not implemented in Daerah Istimewa Yogyakarta because the existence of the Fourth Diktum provisions letter B Undang Undang Nomor 5 Tahun 1960 for the implementation of the Land Law in the Yogyakarta Special District, the regulation implementation was meant to be not yet available, if being inspected from the aspect of the Daerah Istimewa Yogyakarta expertise, still current the Rijkblad Kasultanan provisions and Rijkblad Puro Pakualaman, so as the status of his land did not change to the Country, but still was Sultan's Land and if being inspected from the practice in the field, was based on results of the research of this Sultan Grond still exist, from the acknowledgment of the respondent said that the land that was occupied by them not his proprietary rights, and not property of the government but belonging to the Yogyakarta palace.
2. The status of the command and purpose of Sultan's Land (Sultan Grond) in the Srigading Village, Sanden Subdistrict, Bantul Regency, Daerah Istimewa Yogyakarta, at this time, was based on results of the status research of his command of being based on the right of use. Sultan's land (Sultan Grond) when now in used for various needs of the development including the sector of agriculture/livestock breeding, the sector of the economy, the sector of tourism, and the place of the settlement of the inhabitants.

Keywords: Existency – Sultan Grond