

ABSTRAK

Penelitian ini membahas pengalihan hak atas tanah milik PT. Perkebunan Nusantara I (PTPN I) dalam pembangunan proyek Citraland dengan fokus pada kepastian hukum, prosedur administratif, dan perlindungan hak pihak terkait, termasuk pengembang dan masyarakat/penghuni. Jenis penelitian yang digunakan adalah penelitian hukum yuridis normatif yang menekankan kajian terhadap norma hukum tertulis, doktrin para ahli hukum, dan putusan pengadilan yang relevan terkait pengalihan hak atas tanah PT. Perkebunan Nusantara (PTPN I). Penelitian menelaah ketentuan hukum agraria, regulasi Badan Usaha Milik Negara, kewajiban administratif, serta prosedur pengalihan hak di hadapan Pejabat Pembuat Akta Tanah, termasuk aspek legalitas, transparansi, dan akuntabilitas dalam pengelolaan aset strategis negara. Hasil penelitian menunjukkan bahwa pengalihan hak atas tanah PT. Perkebunan Nusantara (PTPN I) hanya sah jika dilakukan melalui pelepasan hak kembali kepada negara dan pemberian hak baru kepada pihak ketiga dengan persetujuan instansi berwenang, serta harus melalui prosedur administratif yang ketat. PT. Perkebunan Nusantara I bertanggung jawab memastikan kepatuhan terhadap hukum agraria dan regulasi BUMN, sedangkan pihak pengembang wajib mematuhi prosedur pendaftaran hak baru dan izin pembangunan. Penelitian ini bersifat normatif-analisis, karena selain memaparkan norma hukum yang berlaku, juga menganalisis penerapan hukum dalam praktik pengalihan tanah, kepastian hukum bagi pihak perusahaan, perlindungan hak masyarakat terdampak, dan potensi sengketa yang muncul.

Kata Kunci : Pengalihan, BUMN, PTPN I, Citraland

ABSTRACT

This study discusses the transfer of land rights owned by PT. Perkebunan Nusantara I (PTPN I) in the Citraland project development with a focus on legal certainty, administrative procedures, and protection of the rights of related parties, including developers and the community/residents. The type of research used is normative legal research that emphasizes the study of written legal norms, legal expert doctrines, and relevant court decisions related to the transfer of PT. Perkebunan Nusantara (PTPN I) land rights. The research examines agrarian law provisions, State-Owned Enterprise regulations, administrative obligations, and procedures for the transfer of rights before the Land Deed Official, including aspects of legality, transparency, and accountability in the management of state strategic assets. The results of the study show that the transfer of PT. Perkebunan Nusantara (PTPN I) land rights is only valid if it is carried out through the release of rights back to the state and the granting of new rights to third parties with the approval of the competent authorities, and must go through strict administrative procedures. PT. Perkebunan Nusantara I is responsible for ensuring compliance with agrarian laws and state-owned enterprise regulations, while developers are required to comply with procedures for registering new rights and obtaining construction permits. This research is normative-analytical in nature, as it not only outlines applicable legal norms but also analyzes the application of laws in the practice of land transfer, legal certainty for companies, protection of the rights of affected communities, and potential disputes that may arise.

Keywords: Transfer, SOE, PTPN I, Citraland