

IMPLEMENTATION OF ELECTRONIC CERTIFICATES IN MINIMIZING DOCUMENT DAMAGE IN PROBOLINGGO

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ABSTRACT

This article aims to find out how the Minister of ATR/Head of National Land Affairs Regulation No. 3 of 2023 is implemented regarding electronic certificate services in Probolinggo City, as well as to find out what the impact is in minimizing physical damage to documents on land certificates. Electronic certificates are expected to replace physical certificates which are vulnerable to damage, loss and forgery. The method used in this research is a qualitative approach with a case study at the Probolinggo City Land Office. Data was obtained through interviews with relevant officers, as well as surveys of land service users. The research results show that although electronic certificates can reduce the risk of physical damage to documents, there are still several obstacles in their implementation, such as limited technological infrastructure and uneven public understanding. Despite this, the majority of service users expressed a high level of satisfaction with the convenience and security offered by the electronic certificate system. The officers involved in this agency fully support this policy transformation. This research can recommend increasing outreach to the community and strengthening supporting infrastructure to maximize the benefits of electronic certificates in the future.

Keywords: *Implementation, Electronic Certificates, Document Damage, Services*

ABSTRAK

Artikel ini bertujuan untuk mengetahui bagaimana Implementasi Peraturan Menteri ATR/Kepala Pertanahan Nasional No 3 Tahun 2023 tentang pelayanan sertifikat elektronik di Kota Probolinggo, serta untuk mengetahui bagaimana dampaknya dalam meminimalisir kerusakan fisik dokumen pada sertifikat tanah. Sertifikat elektronik diharapkan dapat menggantikan sertifikat fisik yang rentan terhadap kerusakan, kehilangan, dan pemalsuan. Metode yang digunakan dalam penelitian ini adalah pendekatan kualitatif dengan studi kasus di Kantor Pertanahan Kota Probolinggo. Data diperoleh melalui wawancara dengan petugas terkait, serta survei terhadap pengguna layanan pertanahan. Hasil penelitian menunjukkan bahwa meskipun sertifikat elektronik dapat mengurangi risiko kerusakan fisik dokumen, masih terdapat beberapa kendala dalam pelaksanaannya, seperti keterbatasan infrastruktur teknologi dan pemahaman masyarakat yang belum merata. Meskipun demikian, mayoritas pengguna layanan mengungkapkan tingkat kepuasan yang tinggi terhadap kemudahan dan keamanan yang ditawarkan oleh sistem sertifikat elektronik. Petugas yang terlibat dalam intansi ini sangat mendukung penuh dengan adanya transformasi kebijakan ini. Penelitian ini dapat merekomendasikan peningkatan sosialisasi kepada masyarakat dan penguatan infrastruktur pendukung untuk memaksimalkan manfaat dari sertifikat elektronik di masa depan.

Kata Kunci: *Implementasi, Sertifikat Elektronik, Kerusakan Dokumen, Pelayanan*

Introduction

In an existing policy, the next thing that must be done is implementation. Policy implementation is the process of implementing policies that have been set to achieve the desired goals. According to Bressers (1988) developed an approach on how policies should be translated into concrete actions on the ground, and emphasized the importance of interaction between various actors in the implementation process (Nasution & Fahlevi, 2022; Yuliah, 2020). Meanwhile, according to Peters, "policy implementation is highly dependent on organizational structure, human resource capabilities, and communication between the central and regional governments. *Top-down* and *bottom-up* approaches in policy implementation are also increasingly being considered in public policy research. *Top-down* emphasizes the influence of policies from the central level to implementers in the field, while *bottom-up* emphasizes the role of local implementers in adjusting policies according to local needs (Kusnadi & Baihaqi, 2020).

Indonesia has been starting E-Government *since 2003* when Presidential Instruction Number 3 of 2003 was issued concerning National Policies and Strategies for *E-Government Development*. Currently, in Indonesia, the e-government regulation is Presidential Regulation Number 95 of 2018 concerning the Electronic-Based Government System (SPBE). The Ministry of State Apparatus Empowerment and Bureaucratic Reform (Kemenpan RB) is tasked with coordinating the implementation of *e-government*. *E-Government* is an information technology system developed by the Government to improve public services by providing options to the public to get easy access to public information. Good *governance* and the improvement of effective and efficient public services require policies and strategies for the development *of e-government* (Huda & Yunas, 2017; Nuraeni, 2020; Somali et al., 2021). Public service can be interpreted as providing services (serving) the needs of people or communities who have an interest in the organization in accordance with the main rules and procedures that have been set.

According to Law No. 25 of 2009 concerning Public Services, "public services are defined as all forms of activities in the context of regulating, coaching, guidance, providing facilities, services and others carried out by government apparatus as an effort to meet the needs of the community in accordance with the provisions of applicable laws". The main characteristic of *E-Government* is a new (*modern*) interaction mechanism between the government and the community and other interested groups and involves the use of information technology (especially the internet) to improve the quality of ongoing services (Noviyanti et al., 2021; Oktavya, 2015). According to Enceng (2024), the main goal *of e-Government* is to

improve the quality of public services, transparency, community participation, and operational efficiency in the administration of government. Through *e-Government*, various services such as document processing, tax payments, registration, and other public services can be carried out online, thereby reducing bureaucracy and making it easier for people to access government services. In addition to electronic-based services, electronic-based documents or administrative arrangements have been launched. This includes the output or results of *e-government* that has been running.

Based on the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 3 of 2023 concerning the Issuance of Electronic Documents in Land Registration Activities is the Ministry's first step to implement the Digital Transformation of Land Services (Rajagukguk et al., 2019). In every policy or program transformation, it will definitely undergo evaluation before creating new innovations, which can be seen the implementation of previous policies.

Based on the transformation of the program, it is under the auspices of the Ministry of Agrarian and Spatial Planning or the National Land Agency and the Head of the Land Office who is responsible for validating physical and juridical data before issuing electronic certificates. According to Agus Harimurti Yudhoyono (AHY) said that all land offices with a total of 35 districts/cities in Central Java Province have officially implemented electronic land certification. Thus, the total number of regions that have implemented electronic land certificates has reached 251 regions in Indonesia, as mentioned by AHY

The implementation of electronic land certificates (e-certificates) in Probolinggo City has unique characteristics that distinguish it from other cities. Probolinggo City is still a small city, but BPN Probolinggo has developed a local application that makes it easier for people to access e-certificate services, including online consultation features and direct monitoring of certificate status. In addition, there is a collaborative approach involving village governments to assist in document verification and socialization to the community (Okafor, 2022; Ratih, 2021). The "pick up the ball" program is also implemented by sending mobile service cars to remote areas to help residents who have difficulty coming to the BPN office. Data transparency and security are maintained with the application of blockchain technology, which ensures every land transaction is recorded clearly and securely. This success is driven by the spirit of mutual cooperation of Probolinggo residents who support change and adapt to technology, making the

process of managing electronic land certificates more inclusive, efficient, and guaranteed security (kantah.webprobolinggo).

Research Methods

The research approach used in this study is a qualitative data collection method (Moleong, 2019; Sugiono, 2014). The main purpose of using qualitative methods is to gain a deeper understanding of the problems being researched, so that the results obtained better reflect the existing reality. In the context of this research, researchers seek to dig into information in a more open and flexible way, which allows for more detailed and diverse data discovery. This research uses a type of descriptive research, which aims to describe a phenomenon or event that is happening without trying to make predictions or cause-and-effect relationships.

This research was carried out at the Probolinggo City Land Office, which is the location to observe and analyze phenomena related to the topic discussed. The data collection method used is observation, which is direct observation of situations or activities that occur in the field. By observation, researchers can collect authentic and relevant data from primary sources, which are then analyzed to get a clearer picture of the problem being studied.

Results and Discussion

The Role of Bureaucratic Reform in the Implementation of Public Policy

Bureaucratic reform can act as a driver that facilitates the implementation of public policies designed by the government. This makes that good public policy requires support from the bureaucracy that is able to manage, implement, and evaluate these policies. Bureaucratic reform, which includes increasing bureaucratic capacity and efficiency, strengthens the implementation of policies produced by legislative or executive institutions (Widanti, 2022).

Policy implementation is defined in two ways, namely conceptual and methodological. Conceptually, the implementation of basic education policy is related to conceptual matters about planning, implementing, organizing and evaluating (POAC = Planning, Organizing, Actuating, and Evaluating) basic education. Included in this POAC is the determination of indicators, strategies, and policy implementation instruments. The definition of policy implementation at this conceptual stage is still descriptive and administrative because it is not yet in the form of a real context for policy implementation analysis (Yunitasari et al., 2023).

The administrative process of this conceptual definition is largely complemented by strategic environmental analysis with various methods, such as *SWOT*, *TOWS*, *Participatory action research (PAR)* or *Participatory Rural Appraisal (PRA)*, and others (Yunitasari et al.,

2023). It is not uncommon for activities to be conceptually in the form of coordination meetings, even stakeholder lobbies. Methodologically, the POAC stage has been in the form of a technical strategy that is implemented in the process of analyzing the implementation of basic education policies. In the methodological phase, the implementation of basic education policies has produced products in the form of policy strategy indicators, policy methods, policy implementation patterns, and analysis of policy effectiveness, and impact (Agustino, 2016; Winarno, 2007; Yunitasari et al., 2023).

The theory of the policy implementation model of Van Meter and Van Horn focuses on six indicators that affect the performance of policy implementation. Among them are the size and objectives of policies, resources, relationships between organizations, characteristics of implementing agents, economic, social and political conditions and the tendencies of implementers.

A land certificate is an official document issued by the National Land Agency (BPN) as legal proof of ownership of a land. This document provides legal certainty to landowners and includes important information regarding land boundaries and positions. Land certificates serve to protect ownership rights, facilitate buying and selling transactions, and can be used as collateral for loans. There are several types of certificates, including Property Rights Certificates (SHM), Building Rights Certificates (SHGB), and Right to Use Certificates (SHP). In the Basic Agrarian Law (UUPA), it is explained that in order to realize the guarantee of legal certainty and certainty of land rights, it is necessary to carry out land registration activities by the government in accordance with the provisions that have been regulated. According to Douglas J. Willem, land registration is "a continuous and consistent work on one's rights so as to provide information and administrative data on the registered parts of land".

Meanwhile, in Government Regulation No. 24 of 1997, a land certificate is "a certificate of proof of rights as referred to in Article 19 paragraph (2) letter c of the UUPA for land rights, rights to management, waqf land, ownership rights to flats and dependent rights, each of which has been recorded in the relevant land book".

Based on the above understanding, it can be concluded that a land certificate consists of a copy of the land book and the original survey letter sewn into a cover. A land book is a document in the form of a list that contains juridical data and physical data of a land registration object that already has rights. While a survey is a document that contains physical data on a plot of land in the form of maps and descriptions. The land certificate is issued for the benefit

of the rights holder concerned in accordance with the physical and juridical data that has been registered in the land book. Physical data (mapping) includes the location of the land, land boundaries, land area and buildings/plants on it. Meanwhile, juridical data in the form of land status (the type of rights), the subject, the rights of third parties who burden it and in the event of a legal event or legal act, must be registered. Furthermore, the land certificate may only be submitted to 40 parties whose names are listed in the land book as the right holder or to the party authorized by the right holder (Banjarnahor, Y. 2018:38-43).

Human Resources and Infrastructure in Certificate Implementation in Probolinggo

In this paper, the researcher uses the implementation theory from Van Horn and Van Metter (2019) which contains six indicators, including the size and objectives of policies, resources, relationships between organizations, characteristics of implementing agents, socio-cultural economic conditions and the tendency of implementers. These six indicators can be answered from the results of this study.

In relation to the size and objectives of the policy, it can be seen using budget indicators and internal and external conditions, in general, external economic conditions, one example of which is related to inflation, can certainly affect the determination of the policy budget that has been implemented. On the other hand, there are also social conditions of the community that affect it, such as the level of education and technological awareness, which can affect how much budget is allocated for socialization and training campaigns for the community about electronic certificate services.

Based on the results of the interview, the implementation of electronic certificates in Probolinggo City, which officially began on May 27, 2024, has gone through careful preparation in the form of employee training and technological readiness, so that services to the community can run smoothly and minimize obstacles. Although external economic conditions affect the budget, political changes do not have a significant impact because they remain guided by legislation. So far, it has reached 3039 people who have taken care of electronic certificates in Probolinggo City. Budget management and smooth implementation depend on competent HR and a clear organizational structure, as imperfections in HR can lead to inefficiencies. The duration of the policy depends on the economic projections, and if economic conditions deteriorate, the duration of the policy can be adjusted. The public responded positively to this service despite concerns regarding certificates that were not physically printed, but proof of ownership could still be verified electronically through the "Touch My Land" application, with fees varying depending on administrative needs. Regarding the flow in managing electronic

certificates, which has two methods depending on the needs of the community itself, the main thing is that the applicant still has to come to the Probolinggo City Office and explain his interests at the counter. If the applicant will take care of the sale and purchase of land or change the name, it will be automatically directed to an electronic-based certificate, no longer the applicant will be given the choice of analog or electronic. However, if the applicant will replace the blank, it will still be directed how the applicant must take care of it, regarding the duration cannot be ascertained for how many days of work, for example to change the name can be 5 working days and take care of the roya can be 3 working days.

If the majority of people do not fully understand the importance of electronic certificates or are less skilled in using technology, then a larger budget may need to be spent on training, counseling, or the provision of technology facilities. In addition, the social conditions that support digital transformation can simplify implementation and reduce costs. In addition, it is very necessary to have a clear organizational structure in managing the budget for the implementation of this policy. Under the National Land Agency, there is a special unit or team responsible for planning, managing, and supervising the budget for electronic certificate services. This team is typically made up of a variety of parties, including officials who understand regulations, technical and financial personnel, who work together to ensure budgets are used efficiently.

The implementation program of electronic certificates in Probolinggo City is greatly influenced by the characteristics of the implementing agents and the tendencies of the implementers involved. The main implementing agents, in this case employees of the National Land Agency (BPN) and local governments, have crucial characteristics in ensuring the success of this program. One of the important characteristics is the competence and information technology skills possessed by the implementing agency. They must be able to operate the electronic certificate system properly, as this affects the smooth administration of the land. In addition, the capacity of human resources also plays an important role. With adequate human resource capacity, implementers can manage the increased workload due to this digitalization system. Managerial skills and coordination between parties are also very important so that each stage of implementation runs smoothly, including in overcoming problems that may arise during implementation.

The tendency of implementers is also one of the reasons that can affect the results of the implementation of electronic certificates. Some implementers are quicker to adapt to new

technology, while others may be more familiar with the old system and find it difficult to cope with the changes. Implementers who are more adaptive to technology will be more proactive in educating the public and overcoming existing resistance. Another trend that needs to be considered is the pattern of response to public complaints. People who are used to physical certificates often feel worried about the validity and security of electronic certificates. Therefore, implementers who are able to provide good explanations and education about the benefits and how to access electronic certificates will be more effective in increasing public acceptance.

The Role of Socialization and Training in the Adoption of Electronic Certificates in Probolinggo City

The implementation of the Regulation of the Minister of ATR/Head of National Land No. 3 of 2023 concerning Electronic Certificate Services in Probolinggo City aims to minimize physical damage to land certificate documents that often occur due to age factors, fires, and natural disasters. In this effort, the regulation replaces the physical-based land certificate management system with an electronic system, which will bring various significant benefits. A more efficient administrative process, easier access, and reduced physical damage are the main results of the implementation of this policy. People can now access and verify their certificates digitally, reducing reliance on physical documents that are susceptible to damage.

Socialization and training to the public and officers are important steps in ensuring the successful implementation of this electronic certificate system. The Probolinggo City Government has held various activities to increase public understanding of the importance of switching to electronic certificates, as well as educate officers at the ATR Office/National Land Agency of Probolinggo City to be able to manage and process certificate data using this new system. The use of technology also allows the application and certificate issuance process to be carried out faster and more accurately, reducing the waiting time that was previously quite long. However, despite the many benefits, challenges remain in the implementation of this policy. The limitations of digital infrastructure in some regions, especially in rural areas, are one of the significant obstacles. Some people may have difficulty accessing electronic systems due to limited internet facilities and digital devices. In addition, although the new system is more efficient, the switch from the old physical-based system takes time to adapt, especially for those who are less familiar with the technology. In addition, the Probolinggo City Land Agency is working with the local government to help the community ease of access, especially in remote areas, the Probolinggo City BPN is trying to provide a pick-up service which means mobile services to remote areas. This transformation also has a positive impact on service efficiency at

BPN Probolinggo City. The process of processing land certificates is faster and no longer requires a time-consuming physical filing process. Certificate applicants do not need to come to the BPN office directly, because they can access their certificate data through an application or portal provided by the government. This not only saves time, but also improves accessibility for people in remote areas. So far, the people of Probolinggo City feel important with this electronic certificate service.

Evaluation of the implementation of electronic certificates in Probolinggo City shows that although these challenges still exist, in general this policy has succeeded in creating a more efficient, safe, and transparent land management system. In the future, it is important to continue to improve digital infrastructure and strengthen socialization so that people can more easily adapt to this system. The long-term prospect of this policy is the creation of a more organized and modern land system, which not only reduces the physical damage of documents but also improves public services in the field of land as a whole.

Conclusion

Based on the results of the author's research, it can be concluded that the implementation of the Regulation of the Minister of ATR/Head of National Land No. 3 of 2023 concerning Electronic Certificate Services in Minimizing Physical Damage to Documents in Probolinggo City (Study at the Probolinggo City Land Office) can be concluded that the size and objectives of the policy, in this indicator contain several focuses such as budget, policy scope and policy duration as benchmark materials how far this implementation goes. Regarding the budget, so far the Probolinggo City Land Office does not feel that there are specific obstacles to budget allocation, but if there is an external economic gap, there will be a revision in the budget allocation.

Furthermore, regarding the scope of the policy, the skills of the employees will actually affect the maximum in its implementation, for this reason the employees take part in training before the inauguration of the program is implemented. Finally, regarding the duration of the policy which does not require long-winded time on what will be implemented, especially in the implementation of electronic certificates. The Probolinggo City Land Office cannot confirm how long the issuance of electronic certificates depends on the applicant in taking care of what. So far, 3039 people have switched to electronic certificates.

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