

An Analysis of the Criminal Act of Granting Business Permits by Officials Without Completed Environmental Permits

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ABSTRACT

Between humans and their environment there is a dynamic relationship. Changes in the living environment will cause changes in the physical and psychological conditions of humans to adapt to new conditions. Changes in the human condition will in turn cause changes in the environment. Thus, it can be said that not only the environment can affect humans, but humans can also be the main and dominant factor influencing the environment, so that human awareness is needed for their own environment. This is done in order to obtain a good environment and in accordance with human needs, so that the dynamic relationship between humans and their environment will be maintained. The method of this community service is the counseling method in the form of direct presentation of lecture material to 5 respondents using leaflets and browser media. This community service as a whole is very effective, so that an increase in knowledge is obtained after counseling on the Criminal Act of Granting Business Permits by Officials Without Completed Environmental Permits

Keywords: Granting Business Licenses, Criminal Acts, Officials.

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INTRODUCTION

The environment is determined by humans and vice versa humans define the environment. The human attitude towards the environment becomes a factor of environmental change. Humans take advantage of nature for the interests of a better life or vice versa, if its utilization is not carried out wisely and according to ability in seeing the situation. (Nindi Rahmawati Herna, n.d.)

Between humans and their environment there is a dynamic relationship. Changes in the living environment will cause changes in the physical and psychological conditions of humans to adapt to new conditions. Changes in the human condition will in turn cause changes in the environment. Thus, it can be said that not only the environment can affect humans, but humans can also be the main and dominant factor influencing the environment, so that human awareness is needed for their own environment. This is done in order to obtain a good environment and in accordance with human needs, so that a dynamic relationship between humans and their environment will be maintained (Ginting, 2022)

The emergence of cases of environmental damage in each region, can not be separated of human behavior and attitudes as an implication of that view always put human interests as the center of everything. In addition, humans also consider the ecosystem order is determined by humans, so that humans can do everything for the environment including by destroying the environment (Nindi Rahmawati Herna, nd)

The environment is an inseparable part of everyday human life. The environment will have an impact on humans according to these environmental conditions. Damage to the environment is inseparable from the responsibility of government officials. Every activity or business that comes into contact with the environment will certainly affect the quality of the environment. So that in controlling every activity or business as regulated in Law No. 32 of 2009 concerning environmental protection and management. Officials who grant environmental permits must also follow the procedure as stated in article 111 UUPPLH. (Syahrin et al., 2018)

To maintain the quality of the environment, every activity or business activity must have an environmental permit as one of the determinants for business actors who want to set up a business. An environmental permit is a permit granted to people who carry out businesses and/or activities that are mandatory for Amdal or UKL-UPL in the framework of environmental protection and management life as a prerequisite for obtaining a business license and/or activity. Through permits, the government can set environmental requirements that are must be met by the business owner. Thus, without an environmental permit effort will not be given, which is the mandate of the Regulations Government of the Republic of Indonesia Number 27 of 2012 Concerning Permits Environment. (Nindi Rahmawati Herna, n.d.)

In environmental management, the main effort must be This is done to prevent environmental pollution and damage environment, not overcoming environmental pollution that has been occur. As a preventive action which is a principle in law The State Administration is going through the licensing procedure. Environmental permit become an important requirement in issuing related business licenses with natural resource business. For example industrial business in the company Bustunder Master

Washing (BMW) is engaged in dyeing and washing clothes. (Nindi Rahmawati Herna, n.d.)

The Bustunder Master Washing (BMW) company is not licensed environment for doing business, Bustunder Master Washing (BMW) engages in the dyeing and washing of garments into pants and jackets types of jeans / denim that produce liquid waste, so it is mandatory to have waste water discharge permit. It should be the Bustunder Master Company Washing (BMW) must have environmental documents in the form of a minimum UKL/UPL, because the company is in its production activities produce liquid waste that needs to be treated first so it is mandatory to have an Environmental document in the form of UKL/UPL. (Nindi Rahmawati Herna, n.d.)

An environmental business permit is a permit granted to anyone who carries out a business and/or activity that is subject to Amdal or UKL-UPL in the framework of environmental protection and management as a prerequisite for obtaining a business or activity permit. Permits are actually an administrative legal instrument that can be used by authorized officials to regulate ways of carrying out business activities. An environmental business permit is a permit granted to anyone who carries out a business and/or activity that is subject to Amdal or UKL-UPL in the framework of environmental protection and management as a prerequisite for obtaining a business or activity permit. (Ath Tariq Sya, 2020)

Natural resources are so abundant that many people are trying to take it in ways that are not good. Constitution The Republic of Indonesia in 1945 mandated that earth and water and the natural wealth contained therein is controlled by the State and used for the greatest interest for the prosperity of the people as emphasized in Article 33 paragraph (3) of the 1945 Constitution (Chandra, 2020)

Entrepreneurs are every individual or business entity, whether in the form of a body legal or non-legal entity in establish and reside or do activities within the jurisdiction of the state Republic of Indonesia, both alone and together by agreement carry out business activities in various economic fields (Helmi, 2020)

Within the science of criminal law itself, several theories have been developed regarding the purpose of sentencing, namely absolute (*retributive*) theories, relative (*deterrence/utilitarian*) theories, integrative (*integrative*) theories , and *treatment theories*. (Pangaribuan, 2017)

1. Absolute theory (retributive theory)

Absolute theory (retributive theory) views that punishment is retribution for mistakes that have been committed, so it is oriented towards action and lies in the crime itself. Punishment is given because the perpetrator must accept the sanction for the sake of his mistake. According to this theory, the basis for punishment must be sought from the crime itself, because the crime has caused suffering to other people, in return (*vergelding*) the perpetrator must be given suffering.

2. Relative theory (*Deterrence*)

This theory views punishment not as retribution for the wrongdoing of the perpetrator, but as a means of achieving useful goals to protect society towards prosperity. From this theory emerges the purpose of punishment as a means of prevention, namely general prevention aimed at society. Based on this theory, punishment is imposed to carry out the intent or purpose of the

punishment, namely to improve community dissatisfaction as a result of the crime. The purpose of punishment must be viewed ideally, apart from that, the purpose of punishment is to prevent crime.

METHOD

The method of this community service is the counseling method in the form of direct presentation of lecture material to 5 respondents using leaflets and browser media.

RESULTS AND DISCUSSION

The community service activities carried out are in the form of counseling with the aim of analyzing the Crime of Granting Business Permits by Officials Without Completed Environmental Permits.

Table 1: Knowledge of Respondents Regarding the Crime of Granting Business Licenses By Officials Without Completed Environmental Permits

Knowledge category	Pre Test	
	N	%
Not enough	2	40
Well	3	60
Amount	5	100

Source: primary data

In the table above, the results show that the knowledge level of respondents who are still lacking is 2 people (40%) while those who have good knowledge are 3 people (60%). The core activity in this community service is giving lectures/counseling regarding the Criminal Act of Granting Business Permits by Officials Without Completed Environmental Permits

In this counseling activity, there were 5 respondents. In this counseling, leaflets were given regarding the Criminal Act of Granting Business Permits by Officials Without Completed Environmental Permits so that they could be studied at home. Print media is media that is easy for people to read during the discussion. The importance of disseminating information on the Criminal Act of Granting Business Permits by Officials Without Completed Environmental Permits in order to protect respondents from unwanted events.

CONCLUSION

This community service as a whole is very effective, so that an increase in knowledge is obtained after counseling on the Criminal Act of Granting Business Permits by Officials Without Completed Environmental Permits

Thank-you note

The servant would like to thank Allah SWT for his grace so that we can carry out this useful activity to increase the knowledge of the respondents, thank you also to the respondents who are involved in community service for their support in carrying out this community service.

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