

Legal Certainty in First-Time Land Registration Based on a Juridically Defective Compensation Certificate (SKGR): An Analysis of Decision Number 58/G/2024/PTUN.PBR, Decision Number 81/B/2025/PT.TUN.MDN, and Decision Number 799 K/TUN/2025

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ABSTRACT

This study aims to analyze the legal certainty of first-time land registration based on a juridically defective Compensation Certificate (Surat Keterangan Ganti Rugi/SKGR) and the legal consequences of issuing a Certificate of Ownership resulting from such registration, as examined in Decision Number 58/G/2024/PTUN.PBR in conjunction with Decision Number 81/B/2025/PT.TUN.MDN and Decision Number 799 K/TUN/2025. This research employs a normative legal research method using statutory and case approaches. The legal materials consist of primary, secondary, and tertiary legal sources, which are analyzed qualitatively through a prescriptive method. The findings indicate that first-time land registration based on an SKGR that has lost its juridical validity cannot provide complete legal certainty for rights holders. Courts at all levels found that the issuance of the certificates contained procedural and substantive defects due to the use of a revoked SKGR, inconsistencies between physical data and the underlying title, failure to conduct the mandatory public announcement, and disregard of the rights of the party who had previously possessed the land. Consequently, the certificates were declared null and void and were ordered to be revoked by the National Land Agency. The decisions affirm that legal certainty in land registration can only be achieved when all legal requirements and procedures are properly fulfilled.

Keywords: Legal Certainty, Land Registration, Compensation Certificate, Juridical Defect, Certificate of Ownership

INTRODUCTION

Land occupies a highly significant position in human life from economic, social, and legal perspectives. As a source of livelihood and a foundation for asset ownership, land is one of the most frequent sources of legal disputes in Indonesia. Recognizing its strategic importance, the state is obligated to guarantee legal certainty regarding land tenure and ownership for all citizens. This obligation is explicitly stipulated in Article 19, paragraph (1) of Law Number 5 of 1960 concerning the Basic Agrarian Law (UUPA), which mandates the government to implement land registration throughout the territory of the Republic of Indonesia (Napitupulu, 2022)p. Without legal certainty over land rights, conflicts among parties are difficult to avoid, and investment activities are hindered, as individuals require assurance that the land under their control will not be arbitrarily challenged (Ramadhani, 2024).

Land registration is conducted pursuant to Government Regulation Number 24 of 1997 concerning Land Registration (GR No. 24 of 1997), which replaced Government Regulation Number 10 of 1961. Article 3 of GR No. 24 of 1997 emphasizes that the objectives of land registration are to provide legal certainty and

protection to rights holders, furnish land-related information to interested parties, and establish an orderly land administration system. The final product of the land registration process is a land certificate, which, under Article 19, paragraph (2), letter c of the UUPA in conjunction with Article 32, paragraph (1) of GR No. 24 of 1997, serves as strong evidence of the physical and juridical data contained therein. Indonesia adopts a negative publication system with positive tendencies, meaning that a land certificate does not constitute absolute evidence; however, unless proven otherwise in a court of law, the information contained therein is presumed legally valid (Isnaini & Lubis, 2022).

To obtain a certificate for the first time, applicants are required to submit proof of title as the basis of their application, namely, documents evidencing possession or ownership of the land parcel being registered. Article 24 of GR No. 24 of 1997 regulates various forms of evidence that may be used, including written evidence supporting physical possession of land. One instrument commonly utilized in many regions, particularly outside Java, is the Compensation Statement Letter (Surat Keterangan Ganti Rugi (SKGR)). The SKGR is a document evidencing the transfer of land possession issued by village or sub-district authorities and is frequently used as proof of title in first-time land registration processes. Although an SKGR is not an authentic deed, its legal status is recognized as evidence of land possession that may subsequently serve as the basis for land certification, as affirmed by Article 97 of Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Apartment Units, and Land Registration (Luqyana et al., 2023).

In practice, the use of SKGRs as proof of title does not always comply with prescribed procedures. GR No. 24 of 1997 requires the National Land Agency (Badan Pertanahan Nasional or BPN), as the authority responsible for land registration, to conduct a comprehensive verification of all submitted proof of title, perform accurate land surveys and mapping, and announce the registration application before issuing a certificate. The public announcement period of 60 days for sporadic registration, as required under Article 26 of GR No. 24 of 1997, functions as a public control mechanism, enabling parties claiming rights to submit objections before the certificate is issued. Failure to properly implement these procedures may render the resulting certificate legally defective and vulnerable to annulment through litigation before the Administrative Court (Pengadilan Tata Usaha Negara or PTUN), as a land certificate constitutes an administrative decision that must satisfy both substantive and procedural validity requirements under Law Number 30 of 2014 concerning Government Administration (Arianto et al., 2025).

These issues crystallized in a dispute adjudicated by the Supreme Court through Decision Number 799 K/TUN/2025, in conjunction with the Decision of the Medan Administrative High Court Number 81/B/2025/PT.TUN.MDN, and the Decision of the Pekanbaru Administrative Court Number 58/G/2024/PTUN.PBR. In this case, the Head of the Rokan Hilir Land Office issued five Certificates of Ownership Rights (Sertipikat Hak Milik or SHM) on October 5, 2012, in the names of Siam Hai, Ida Novianti, and Ng Siam Tjeng alias Yuliana Eva, relying on an SKGR dated June 13, 2011, as the basis for the title. These certificates cover more than 9.3 hectares of land located in Balai Jaya Kota Village, Bagan Sinembah District, Rokan Hilir Regency, Riau Province. The issuance of these certificates was challenged by Muhammad Ali, who claimed that he had exercised both physical and juridical control over the land since 2007 based on a valid *inter vivos* gift (*hibah*) from his father to this son.

At all three judicial levels, the courts identified four fatal procedural defects in the land registration process conducted by the Rokan Hilir Land Office: First, the SKGR used as proof of title had already been revoked by the Head of the Balai Jaya Village due to an error concerning the administrative location of the land. The SKGR referred to land situated within Balai Jaya Village, whereas the certificates were issued for land located within Balai Jaya Kota Sub-District, two distinct administrative entities. Moreover, the Bagan Sinembah District was only established in 2014, two years after the certificates were issued. Second, the survey maps and measurement documents prepared by the BPN did not correspond to the SKGR serving as the basis of the application, indicating that the measurement procedures mandated by GR No. 24 of 1997 were not properly followed and suggesting a possible shift in the location of the registered land during the administrative process. Third, the BPN failed to conduct the public announcement required under Article 26 of GR No. 24 of 1997, thereby depriving Muhammad Ali, who had long exercised physical and juridical possession over the land, of the opportunity to submit an objection. Fourth, BPN disregarded Muhammad

Ali's prior rights arising from his possession of the land since 2007 based on a valid gift, whereas the SKGR relied upon by Siam Hai and others was issued only in 2011, four years later.

The consequences of these procedural defects are substantial. Siam Hai and Ida Novianti held the ownership certificates for more than a decade and were formally recognized as lawful rights holders under Indonesia's highest legal instrument of land ownership. Nevertheless, courts at all three judicial levels declared the five certificates null and void and ordered the BPN to revoke them, as they had originated from an unlawful registration process. Consequently, the legal certainty that land registration is intended to achieve, as mandated by Article 3 of GR No. 24 of 1997, was not achieved. More concerning, the loss of rights suffered by the certificate holders resulted not from their misconduct but from BPN's failure to comply with the procedures prescribed by statutory regulations (Ramadhani, 2021).

The issue examined in this study has attracted the attention of several previous scholars, making it necessary to position the present research by identifying its similarities, differences, and scholarly novelty. First, the study by Simangunsong et al. (2025), and Dina Andiza entitled "Juridical Review of the Annulment of Land Rights Certificates under Civil Law (Analysis of Administrative Court Decision Number 115/G/2023/PTUN.MDN)" discusses the annulment of land certificates due to administrative defects in the registration process, including inaccurate measurements and the disregard of the plaintiff's rights as the lawful physical possessor of the land (Simangunsong et al., 2025). The similarity lies in the examination of certificate annulment through administrative court proceedings owing to procedural violations in land registration. However, while Simangunsong et al. focused on civil law aspects, the present study concentrates on the juridical defects of SKGRs as proof of title in first-time land registration from the perspectives of administrative law and legal certainty.

Second, the study by Febriana, entitled "Legal Remedies in Overlapping Land Certificate Disputes: A Case Study of Decision Number 181/B/2020/PT.TUN.SBY" analyzes land disputes arising from the issuance of multiple certificates over the same parcel of land and the legal remedies available to the affected parties (Febriana & A, 2022). While both studies address certificate disputes before administrative courts and the legal consequences of administrative errors committed by BPN, Febriana's research focuses on overlapping certificates, whereas the present study examines a more fundamental issue: the acceptance of an already-invalid proof of title as the basis for the initial issuance of land certificates.

Third, the study by Luqyana et al. (2023) entitled "Legal Protection for Holders of Compensation Statement Letters (SKGR) Where Land Certificates Have Been Issued in Another Person's Name" specifically discusses the legal standing of SKGRs and the protection available to SKGR holders when certificates have been issued in favor of other parties (Luqyana et al., 2023). Although both studies treat SKGR as the central issue in land disputes, Luqyana's research positions the SKGR holder as an aggrieved party seeking legal protection. In contrast, this study examines an SKGR that was unlawfully utilized as proof of title by certificate applicants and analyzes how defects in the SKGR affect the legal certainty of the resulting certificates and the legal consequences for certificate holders.

Fourth, the study by Arianto and Faharudin, titled "Legal Analysis of the Issuance of Administratively Defective Land Rights Certificates: A Study of the Baubau City Land Office" explores the factors contributing to administrative defects in certificate issuance and the mechanisms for their annulment (Arianto et al., 2025). The similarity lies in the analysis of the administrative legal defects in land certification. While that study adopts a general approach and is not based on specific judicial decisions, the present study examines three final and binding court decisions as its primary object of analysis.

Based on the foregoing review, there remains a significant research gap. No previous study has specifically analyzed the legal certainty of first-time land registration based on an SKGR that had already been revoked by its issuer, particularly in a context where four procedural violations by the BPN occurred simultaneously within a single registration process and where courts at three judicial levels consistently reached the same conclusion. This constitutes the novelty of the present study.

Accordingly, this study aims to normatively examine two interrelated legal issues: first, the legal certainty of first-time land registration based on a juridically defective SKGR; and second, the legal consequences of certificates issued through such a flawed registration process for rights holders, based on an analysis of Decision Number 58/G/2024/PTUN.PBR in conjunction with Decision Number

81/B/2025/PT.TUN.MDN and Decision Number 799 K/TUN/2025. This research is relevant not only from an academic perspective but also as an evaluation of land administration practices that remain vulnerable to procedural errors, which ultimately harm all parties involved.

RESEARCH METHOD

This study constitutes normative legal research aimed at analyzing the legal certainty of first-time land registration based on a juridically defective Compensation Statement Letter (*Surat Keterangan Ganti Rugi* or SKGR) and the legal consequences arising from the issuance of Certificates of Ownership Rights (*Sertipikat Hak Milik* or SHM) based on such a letter. This research employs both statutory and case approaches. The statutory approach is based on an examination of the laws and regulations governing land registration, government administration, and the settlement of land disputes. Meanwhile, the case approach is undertaken by analyzing Decision Numbers 58/G/2024/PTUN.PBR, 81/B/2025/PT.TUN.MDN, and 799 K/TUN/2025 as the primary objects of the study.

This study focuses on the aspect of legal certainty in first-time land registration utilizing an SKGR as proof of title and the legal implications arising from the use of an SKGR containing juridical defects. The legal materials employed consist of primary legal materials in the form of statutory regulations and court decisions, secondary legal materials comprising books, scholarly journals, and relevant research findings, and tertiary legal materials, including legal dictionaries and legal encyclopedias.

Data collection was conducted through library research by inventorying, identifying, and examining various legal materials relevant to the research problem. All legal materials obtained were subsequently analyzed qualitatively using a descriptive-analytical method and a prescriptive approach to formulate comprehensive legal arguments regarding the legal certainty of first-time land registration based on a juridically defective SKGR and the legal consequences thereof for rights holders.

RESULT AND DISCUSSION

Legal Certainty in First-Time Land Registration Based on a Juridically Defective Compensation Statement Letter (SKGR)

Article 3 of Government Regulation Number 24 of 1997 stipulates that the primary objective of land registration is to provide legal certainty and protection to rights holders. In the context of land law, legal certainty encompasses the subject of rights, the object of rights, and the nature of the rights themselves. These elements can only be achieved through a lawful registration process that is conducted properly and sequentially in accordance with the applicable legal provisions (Arianto et al., 2025). However, this objective was not achieved in the present case. The Administrative Court of Pekanbaru, Administrative High Court of Medan, and Supreme Court consistently found that the land registration process conducted by the Rokan Hilir Land Office was tainted by a series of interconnected procedural violations. Consequently, the legal certainty that should have resulted from the registration process never materialized.

The dispute originated from a single document that served as the foundation of the registration application, namely a Compensation Statement Letter (*Surat Keterangan Ganti Rugi* or SKGR) dated June 13, 2011, issued in the name of Muhajir and associates, which was subsequently used by Siam Hai, Ida Novianti, and Ng Siam Tjeng alias Yuliana Eva as proof of title. The document identified the land as being located in RT 01/RW 01, Sei Embacang Hamlet, and Balai Jaya Village. However, the critical issue was that the SKGR had previously been revoked by the Head of Balai Jaya Village due to an error concerning the administrative location of the land, a fact expressly acknowledged by the Supreme Court in its legal reasoning in Decision No 799 K/TUN/2025. Although Article 97 of Government Regulation Number 18 of 2021 recognizes an SKGR as an indication of land possession that may be utilized in first-time land registration, the term “indication” itself signifies that an SKGR does not constitute conclusive evidence and must be further verified by the National Land Agency (BPN) before the registration process can proceed. For an SKGR to function as a valid proof of title, it must remain legally effective and must not have been revoked by its issuer. Once the issuing authority revokes the document, it ceases to have evidentiary value as lawful proof of land possession.

The Supreme Court based this assessment on Article 9 paragraph (2) point 2 of the Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 9 of 1999, which provides that

physical possession or proof of title may serve as the basis for granting land rights only if no stronger competing title exists. When the proof of title submitted by the applicant has already been invalidated, this fundamental requirement is extinguished before the registration process can legitimately proceed. The Rokan Hilir Land Office failed to verify the legal status of the SKGR, despite the fact that such verification was not a matter of administrative discretion but a legal obligation imposed on BPN as the authority responsible for land registration. From the perspective of Law Number 30 of 2014 concerning Government Administration, accepting and processing invalid proof of title constitutes a substantive defect, as referred to in the Explanation of Article 71 paragraph (1) letter b, because the substance of the administrative decision no longer corresponds to the factual and legal basis upon which it was issued. In other words, the legal certainty that should have originated from a valid proof of title was absent in the very first stage of the registration process.

The defect inherent in the proof of title alone is sufficient to undermine the legality of the entire registration process. However, the violations committed by the Rokan Hilir Land Office extended beyond this initial deficiency. In its legal reasoning, the Supreme Court expressly stated that the survey maps and measurement documents produced by the BPN did not correspond to the SKGR on which the application was based. Article 18 of Government Regulation Number 24 of 1997 requires the determination of land boundaries to be conducted based on the indication of the rights holder and with the consent of adjacent landowners in accordance with the principle of *contradictoire delimitatie* (Napitupulu, 2022). The discrepancy between the survey documents and the proof of title indicates either that the BPN failed to measure the land identified in the SKGR or that an unexplained alteration of the land object occurred during the administrative process. This conclusion is further reinforced by the Supreme Court's finding that Bagan Sinembah District, as stated in the certificates, was only established in 2014, whereas the certificates were issued in 2012. Thus, the BPN issued certificates referring to administrative districts that did not exist at the time of issuance. This fact demonstrates that the surveying and mapping process did not correspond to the actual administrative conditions that prevailed during registration. Such irregularities constitute procedural defects as contemplated in the Explanation of Article 71 paragraph (1) letter a of Law Number 30 of 2014, because the decision-making procedure failed to comply with statutory requirements. Without reliable physical data, legal certainty regarding the boundaries, location, and size of the land becomes meaningless.

These procedural defects culminated in the violation that most directly prejudiced Muhammad Ali, namely, the failure to conduct the mandatory public announcement. Article 26, paragraph (1) of Government Regulation Number 24 of 1997 requires the publication of physical and juridical data for 60 days in cases of sporadic land registration at both the Land Office and the relevant Village or Sub-District Office (Napitupulu, 2022). The Supreme Court explicitly stated that the BPN failed to publish the registration of the disputed land. Muhammad Ali had exercised physical and juridical possession of the land since 2007 based on a lawful gift (*hibah*) from his father, Mauluddin Salim, dated April 21, 2007. A judicial site inspection revealed the existence of a boundary marker between the Pasir Putih and Balai Jaya administrative areas, oil palm plantations owned by Muhammad Ali, and the presence of the PT Bagan Multi Palm Oil Mill, all of which constituted evidence of actual land use and possession. Had the required publication been conducted, Muhammad Ali, who regularly occupied and managed the land, would have become aware of the pending registration application and would have had the opportunity to submit an objection to it. Publication is not merely a formal or decorative procedure; rather, it embodies the principle of *openbaarheid* in land registration, providing a mechanism for public oversight to safeguard the rights of interested parties (Isnaini & Lubis, 2022). In the absence of publication, this mechanism was entirely eliminated, enabling the BPN to process the application, conduct measurements, and issue certificates without the knowledge of the individual who was actually occupying and utilizing the land.

The failure to conduct publication simultaneously reveals another closely related violation, namely the disregard of Muhammad Ali's prior rights. The Supreme Court emphasized that Muhammad Ali had exercised physical and juridical possession of the land for many years, beginning with his father's possession in the 1980s and continuing after the lawful transfer of the land to Muhammad Ali in 2007. This possession predated the acquisition of SKGR by Siam Hai and others in 2011. Pursuant to Article 9, paragraph (2), point 2 of the Regulation of the Minister of Agrarian Affairs/Head of BPN Number 9 of 1999, physical possession

or proof of title may serve as the basis for granting rights only where no stronger competing claim exists. When the SKGR in favor of Siam Hai and others was issued in 2011, Muhammad Ali had already possessed the same land for four years under a valid gift arrangement. His possession was continuous, actual, and demonstrable, whereas the possession claimed by the Intervening Defendants was found to be discontinuous and associated with an unclear administrative and territorial status. Had the publication process been properly conducted, these facts would have emerged before the issuance of the certificates, and the registration application should not have proceeded without first resolving the competing claims over the land.

Collectively, these violations reinforced each other and culminated in the systemic failure of the land registration process. According to Otto, legal certainty requires government authorities to apply legal rules consistently (Kusuma et al., 2017). The occurrence of all these violations within a single registration process clearly demonstrates that the requirement was not fulfilled. Through Decision Number 58/G/2024/PTUN.PBR, the Administrative Court of Pekanbaru granted Muhammad Ali's claim in its entirety, declared all five Certificates of Ownership Rights null and void, and ordered the BPN to revoke them. Subsequently, the Administrative High Court of Medan, through Decision Number 81/B/2025/PT.TUN.MDN, affirmed the judgment, holding that the legal reasoning of the court of first instance had been carefully and correctly formulated in accordance with the applicable law and therefore should be fully adopted at the appellate level. Finally, the Supreme Court, through Decision Number 799 K/TUN/2025, rejected all cassation petitions submitted by Siam Hai, Ida Novianti, and the Head of the Rokan Hilir Land Office, affirming that the lower courts had correctly applied the law and had committed no legal error. Across all three judicial levels, the courts spoke with a unified voice: the legal certainty that land registration is intended to achieve was never realized in this case because the process that gave rise to the five certificates was legally defective from the very beginning.

Legal Consequences of the Issuance of Certificates of Ownership Rights Based on a Juridically Defective SKGR for Rights Holders

While the previous section examined the procedural deficiencies that undermined the validity of the land registration process, this section addresses a more complex question: what are the legal consequences for individuals who hold certificates resulting from such a defective process? Siam Hai and Ida Novianti are not perpetrators of fraud or unlawful conduct. They acquired the land through a Compensation Statement Letter (*Surat Keterangan Ganti Rugi* or SKGR) in 2011, submitted an application for registration to the National Land Agency (BPN), and subsequently received Certificates of Ownership Rights (*Sertipikat Hak Milik* or SHM) issued by a competent state authority. For more than a decade, they have possessed these certificates, which are generally regarded as the strongest form of evidence of land ownership under Indonesian law. However, once the courts uncovered the procedural defects underlying the registration process, the legal certainty they had long believed they possessed collapsed.

This collapse began with the inapplicability of the protection afforded under Article 32 (2) of Government Regulation Number 24 of 1997. The provision grants protection to certificate holders who acquire land in good faith and exercise actual possession thereof by stipulating that, after five years have elapsed without any legal challenge, registered rights may no longer be contested. Nevertheless, the Supreme Court declined to extend this protection to the Siam Hai and Ida Novianti. Article 32, paragraph (2), expressly requires that the certificate be issued "lawfully." Therefore, the protection provided by this provision is conditional upon the legality of the issuance process itself. Once the procedural violations discussed in the previous section were established, the requirement for lawful issuance was no longer satisfied. Because the certificates held by Siam Hai and Ida Novianti originated from a registration process that was defective from the outset, the five-year protection mechanism contained in Article 32 paragraph (2) could not apply, notwithstanding the fact that they themselves were unaware of the defects committed by the BPN during the registration process (Napitupulu, 2022). This case illustrates one of the most significant consequences of Indonesia's negative publication system with positive tendencies, under which the state does not guarantee the absolute correctness of registered data, and a certificate may be annulled at any time if the process by which it was issued is subsequently proven to be legally defective.

The loss of this statutory protection ultimately resulted in the annulment of all five Certificates of Ownership Rights through final and binding court decisions. In its legal reasoning, the Supreme Court explicitly relied on Article 66 of Law Number 30 of 2014 concerning Government Administration, which provides that an administrative decision may be annulled if it suffers from defects of procedure, authority, or substance. In the present case, all three types of defects were found to exist simultaneously. Procedural defects arose from inaccurate measurements and failure to conduct mandatory public announcements. Substantive defects arose because the certificates were issued based on an invalid proof of title while disregarding the prior possession and rights of another party. More broadly, the issuance process contravened the General Principles of Good Governance because it was not carried out with the diligence and prudence expected from public officials. Consequently, the Supreme Court declared that the five disputed certificates possessed no binding legal force and ordered the BPN to revoke them in accordance with Article 97 of the Law on Administrative Courts. Although the certificates held by Siam Hai and Ida Novianti constituted strong evidence of ownership, “strong” does not mean “incontestable.” Once evidence demonstrating defects in the registration process is successfully established before the court, the evidentiary strength of the certificates collapses, since a land certificate constitutes strong evidence rather than absolute evidence (Fitria et al., 2021).

The annulment of the certificates subsequently generated a mandatory legal obligation for the BPN. Article 37, paragraph (1), of the Ministerial Regulation of Agrarian Affairs and Spatial Planning/National Land Agency Number 21 of 2020 provides that every final and binding court decision must be implemented. Following the finality of Supreme Court Decision Number 799 K/TUN/2025, the Rokan Hilir Land Office’s obligation to revoke the five certificates was no longer discretionary but became an imperative legal duty. The operative parts of the judgments rendered at all three judicial levels consistently ordered the defendant to revoke the disputed certificates. Furthermore, pursuant to Article 66 paragraph (5) of Law Number 30 of 2014, the revocation of an administrative decision ordered by a court must be carried out no later than twenty-one working days after the court order is received. Accordingly, the Rokan Hilir Land Office had no legal basis to delay or disregard the implementation of the judgment.

It is important to emphasize that the annulment of the certificates in this case did not constitute the annulment of land rights in a substantive sense; rather, it concerned the cancellation of documentary evidence of rights that was legally defective. The land itself remained in existence, and the determination of who ultimately possessed the substantive right to the land was resolved based on actual possession and valid proof of title. The Supreme Court expressly recognized that Muhammad Ali possessed earlier and stronger physical and juridical control over land. Consequently, a logical implication of the annulment is that Muhammad Ali may pursue a new registration application based on his valid title, this time through a legally compliant registration process.

Perhaps the most troubling aspect of this case from the perspective of justice is that the loss suffered by Siam Hai and Ida Novianti was not attributable to any fault of theirs. There was no evidence that the SKGR was falsified. There was no evidence that they were aware that the SKGR had previously been revoked. They approached the BPN with the documents available to them, complied with the applicable procedures, and received certificates issued by an official state institution. The errors were committed by BPN, which failed to verify the validity of the SKGR, conduct accurate measurements, and carry out the mandatory public announcement. In this sense, Siam Hai and Ida Novianti were victims of administrative negligence. The certificates they had relied upon for more than a decade ultimately proved to be no stronger than the defective foundation upon which they were built (Ramadhani, 2021). The legal certainty they had long believed they possessed disappeared instantly after the issuance of a final and binding judicial decision. Ultimately, the entire dispute can be traced back to a single omission by the BPN: the failure to carefully verify whether the proof of title submitted by the applicants remained legally valid before processing the registration application.

CONCLUSION

This study demonstrates that legal certainty in land administration cannot be achieved when the authorities responsible for land registration fail to comply with procedures prescribed by statutory

regulations, regardless of how long a certificate has been held by its holder. The legal certainty of first-time land registration based on a juridically defective Compensation Statement Letter (*Surat Keterangan Ganti Rugi* or SKGR) was not fulfilled in the case under examination. The Rokan Hilir Land Office accepted and processed an SKGR dated June 13, 2011, which had previously been revoked by the Head of Balai Jaya Village due to an error in the administrative location of the land. The agency subsequently produced survey documents that were inconsistent with the SKGR, failed to conduct the public announcement required under Article 26 of Government Regulation Number 24 of 1997, and disregarded the prior rights of Muhammad Ali, who had exercised physical and juridical possession over the land since 2007 based on an earlier and stronger legal title to the land. These four violations rendered the entire first-time land registration process juridically defective from the outset, thereby preventing the realization of the legal certainty that constitutes the principal objective of land registration under Article 3 of Government Regulation No 24 of 1997. This conclusion was consistently affirmed by the Administrative Court of Pekanbaru, Administrative High Court of Medan, and Supreme Court through three mutually reinforcing judicial decisions.

The legal consequence of issuing Certificates of Ownership Rights (*Sertipikat Hak Milik* or SHM) based on a juridically defective SKGR was the annulment of all five certificates and the corresponding obligation of the National Land Agency (BPN) to revoke them in accordance with the final and binding court judgments. Siam Hai and Ida Novianti lost rights that they had held for more than a decade, not because of any fault on their part, but as a result of procedural errors committed by BPN during the registration process. The legal protection provided under Article 32, paragraph (2) of Government Regulation Number 24 of 1997 could not be applied because the fundamental requirement that the certificates be “lawfully issued” was not satisfied, given that the issuance process suffered from both procedural and substantive defects as contemplated by Article 66, paragraph (1) of Law Number 30 of 2014 concerning Government Administration. Once the judgments obtained permanent legal force, BPN became legally obligated to revoke the five certificates pursuant to Article 37 paragraph (1) of Ministerial Regulation of Agrarian Affairs and Spatial Planning/National Land Agency Number 21 of 2020, without any discretion to delay or disregard the implementation of the court orders.

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