



## Implementation of Compensation for Land Acquisition in the Construction of 150kv SUTT Tower for Public Interest

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### **Abstract**

Electricity development really needs land. The government of the share permit holder seeks to improve service to the community by building large-scale power plant centers and transmission or High Voltage Air Channel networks (abbreviated in Indonesian as 150 kV SUTT) as a medium to deliver electricity to load centers or to customers. This article describes how to carry out compensation for land acquisition in the construction of the 150 kV SUTT tower for public interest. This study uses juridical empirical method as well as statute and conceptual approaches. The results of the study indicated that the process of communication or discussion between interested parties is carried out to achieve understanding and agreement in determining the location of land acquisition activities in the construction for the public interest. After an agreement in the public consultation for location determination occurs, the assessment of compensation is carried out by an assessment team formed by the governor through the local National Land Agency. Furthermore, a new assessment is carried out through discussion to determine the value of compensation in fulfilling the rights of the community whose land is affected by land acquisition for the construction of a 150kV SUTT tower.

**Keywords:** Land Acquisition; Compensation; Power Plant

### **Introduction**

The state has rights to land called the right to control as explained in article 33 paragraph (3) of the 1945 Constitution which reads: the earth, water, and natural resources contained therein are controlled by the state and are used for the welfare of the people as much as possible. The power of the state to control the land is based on the application of social functions of the land. The principle for controlling is only owned by the state; therefore, individuals or institutions within the community are not entitled to implement the principle of controlling the land due to social function of the land itself (Syah, 2015).

Regarding land ownership, Law No. 5 of 1960 on the Basic Agrarian Law (UUPA) (State Gazette of the Republic of Indonesia of 1960 No. 104, Supplement to the State Gazette of the Republic of Indonesia Number 2043) also states explicitly about individual rights regarding land ownership. Regarding the function of land, Article 6 of the Agrarian Law states that even though a human being is the eternal owner of a land, it does not mean that landowners may act arbitrarily using their rights without regard to the interests of others. In the context of land acquisition in development for public purposes,

land ownership rights can be revoked because land has social functions as mentioned above (Limbong, 2015).

Electricity development really needs land. The government of the share permit holder seeks to improve service to the community by building large-scale power plant centers and transmission or High Voltage Air Channel networks (abbreviated in Indonesian as 150 kV SUTT) as a medium to deliver electricity to load centers or to customers.

That is in line with the provisions in Article 33 paragraph (2) of the State Constitution of the Republic of Indonesia 1945 which states that “production branches that are important for the state and which control the livelihood of many people are controlled by the state”. Based on the mandate of the constitution, PT PLN (Persero), in this case, has the authority to manage all matters relating to electricity, including its development for the maximum prosperity of the people.

It is related to Law No. 2 of 2012 concerning Land Acquisition in the Development for Public Interest (State Gazette of the Republic of Indonesia of 2012 No. 22 and Supplement to the State Gazette of the Republic of Indonesia No. 5280) which was stipulated in January 2012. Reasons for stipulating Law No. 2 In 2012, the implementation of land acquisition at that time was that the government support was still slow in supporting infrastructure development.

The issue of land acquisition is very vulnerable because it concerns the lives of many people. Based on the government’s needs for land for development purposes, it can be understood that: “available state land is very limited; therefore, the only way is to release land owned by the community that has been controlled with rights under customary law and other rights or other interested parties according to the Basic Agrarian Law (UUPA) (Permatasari, 2013). Land has a very important role for human life. Most of human life depends on land. that has a permanent nature and can be reserved for life in the future (Krishna *et. al.*, 2017). Today, the availability of “free” state lands that are not owned or occupied by people or other interested parties is very limited.

Land acquisition is an act of the government to obtain land that is used for various development interests, especially public interests. Principally, land acquisition is carried out by means of discussion between parties that require land and holders of rights to land whose land is needed for development activities (Siregar, 2018).

The issue of compensation value is the most sensitive component in the land acquisition process. Negotiations regarding the form and size of compensation are often the longest and most protracted process because there is no final point agreed upon by the parties concerned (Firman, 2004).

The process of determining the price of compensation for land, buildings and plants is carried out through rational considerations because of the different interests between landowners affected by land acquisition and the government (Zaman, 2002). Exemption of land rights can be done after an agreement on the price of land compensation. In fact, agreements are difficult to achieve because the prices provided by the government are often considered cheap while the owners want high prices. Therefore, discussion is put forward so that conflicts from the procurement and release of rights to community land do not occur.

The role of the local government is very important to determine the achievement of efforts to liberate and release land rights and to play a role with PLN in seeking and following all legal rules that apply to the interests of all parties, both the people, government and PLN, especially land acquisition for the interests of PT PLN (Persero) Nusa Tenggara Development Main Unit.

One of the cases in the procurement of land for the public interest was experienced by PT PLN (Persero) the Nusa Tenggara Development Unit when it was going to build a 150kV SUTT tower in Mumbulsari, Dasan Lekong and Tanjung Karang Villages. In the three villages, rejection from the village community whose land will be taken for the construction of the 150kV SUTT tower had occurred. Problems arose starting when the community was not pleased if the land was taken. Moreover, there was no agreement reached on the compensation price provided by PT PLN (Persero) Nusa Tenggara Development Main Unit.

## **Discussion**

### *The Process of Determining Compensation for the Land Acquisition in the Construction of a 150kV High Voltage Air Channel (SUTT) Tower*

Land Acquisition Process for the Public Interest Based on Law No 2 of 2012 is one of the development efforts within the national development framework held by the government at this time by organizing land acquisition for public interest whose purpose is to provide land for the implementation of development to improve welfare and the prosperity of the nation, state and society. Land acquisition is an activity of providing land by giving proper and fair compensation to the rightful party.

The activity of land acquisition in the development for the public interest is a government effort to improve the welfare of the community on the basis of public interest (Indra, 2011). Land acquisition activities for the construction of the 150kV SUTT tower are one example. However, this involves community land that is used for tower construction activities. So, it creates rights and obligations which the community demands compensation for the lands as their rights and the government provides proper compensation as its obligation.

Article 13 of Law No. 2 of 2012 concerning Land Acquisition for Public Interest states that land acquisition for public interest is carried out through various stages as follows:

#### a. Land Acquisition Planning

Planning for land acquisition for public interest is based on the Regional Spatial Plan and development priorities listed in the Medium-Term Development Plan, Strategic Plan, and Work Plan of the relevant Government Institution. Planning of land acquisition for public interest as referred to in the form of land acquisition planning documents at least contains these matters.

#### b. Land Acquisition Preparation

This is done by agencies that require land with the provincial government based on the land acquisition planning document which includes:

- 1) Notification of planning of land acquisition
- 2) Initial data collection on the construction site
- 3) Public consultation on construction planning
- 4) Determination of construction site
- 5) Announcement of the determination of the construction site
- 6) Carrying out tasks related to preparation of land acquisition.

#### c. Implementation of Land Acquisition

The implementation of land acquisition is carried out by the Head of the Regional Office of the National Land Agency of West Nusa Tenggara as the head of the land acquisition executor, or assigning the Head of the local Regency Land Office as the head of land acquisition executing by considering efficiency, effectiveness, geographical conditions and human resources.

#### d. Submission of Results

Submission of land acquisition in the construction of the 150kV tower includes the activities of handing over the land acquisition by the chairman of land acquisition accompanied by land acquisition data as outlined in the report of submission to the party requiring land; then, construction can be carried out after the acquisition is completed.

Implementation of inventory and identification of physical data, on the mastery of ownership, use and utilization of land in land acquisition activities for the construction of 150KV SUTT, carried out measurements and mapping per parcel including measurement and mapping of location boundaries as well as measurements and mapping per field in the form of field maps accompanied by area plots of land to be used in the process of determining the value of compensation and land registration.

The land acquisition team carried out an inventory and identification of the data of the entitled parties and land acquisition objects that produced a nominative list containing the identity of the parties entitled to compensation in land acquisition for the construction of the 150kV SUTT tower that will be used in the process of determining compensation value and land registration.

Maps of land parcels and nominative lists that have been included in the report of identification and verification results are announced in each village office in stages. The announcement is one form of application of the publicity principle to provide information to owners of lands and provide a maximum time limit of 14 (fourteen) days for landowners or interested parties to raise objections to the chairman of the land acquisition team.

Compensation is the most important activity in the settlement of land acquisition activities. The amount of compensation in the acquisition of land for the construction of the 150kV tower, is assessed in accordance with the provisions in Law No. 2 of 2012 concerning Land Acquisition for Development for Public Interest Article 30 paragraph 1 by the Land Agency which is clarified by the provisions in Presidential Regulation No. 71 of 2012 concerning the Implementation of Land Acquisition in the Development for Public Interest article 63 paragraph 1 which states that the determination of the amount of compensation is carried out by the Chairperson of the land acquisition based on the assessment of public appraisers. Thus, the land acquisition chief prescribes one of the public appraisers in assessing land prices independently at the land acquisition site for the construction of a 150kV tower by using assessment provisions that are in accordance with applicable laws and regulations, including Law No. 2 of 2012 Regarding the Land Acquisition in the Development for Public Interest, Regulation of the Minister of Home Affairs No. 72 of 2012 concerning Operational Costs and Supporting Costs for the Implementation of Land Acquisition in the Development for Public Interest sourced from Regional Revenues and Expenditures, Regulation of the Minister of Finance No. 13/PMK.02/2013 concerning Operational Costs and Support Costs for the Implementation of Land Acquisition for Development in the Public Interest sourced from the State Budget and Expenditure, Presidential Regulation No. 71 of 2012 concerning the Implementation of Land Acquisition in the Development for Public Interest, Regulation of the Head of the National Land Agency No. 5 of 2012 concerning Technical Guidelines for the Implementation of Land Acquisition, and Indonesian Assessment Standards No. 306 of 2013 concerning Technical Guidelines for the Evaluation of Land Acquisition in the Development for Public Interest. This assessment team works independently to assess land prices without any interference from other parties including PT PLN as the party who needs land, people affected by land acquisition, and the local Land Office as the executor of land acquisition.

The status considered by the assessment team is the ownership status of the land owned by residents of the Lombok community affected by land acquisition. The status of the land rights is divided into 2 (two) which includes land rights that already have certificates and land that does not yet have a certificate.

Legal certainty regarding land rights according to Adrian Sutedi includes three things: certainty regarding the object of land rights, certainty about the subject of land rights and certainty regarding the status of land rights. The rule of law is also useful to provide clear and firm legal protection if in the future it causes a dispute (Sutedi, 2008).

There are many things that must be considered by the assessment team in assessing the land. The land assessment team assesses the price of land affected by the construction of a 150kV tower with a Fair Replacement Value system; i.e. the value for the interests of the owner which is based on equality with Market Value or a Property by observing extraordinary elements in the form of non-physical losses resulting from the acquisition of rights to the Property. Fair Replacement Value (NPW) is the same as the compensation value as referred to in Law No. 2 of 2012 concerning Land Acquisition in the Development in the Public Interest. NPW can be generated from a combination of physical losses and non-physical losses on an assessment object. This combination can be described as the sum of indications of Market Value for physical losses plus an indication of the value of non-physical losses.

In addition to assessing the use of a reasonable replacement system, matters considered by the assessment team in assessing land based on Indonesian Appraisal Standards (SPI) No. 306 of 2013 concerning Appraisers of Land Acquisition for Development in the Public Interest are as follows:

- 1) Market Value;
- 2) Highest and Best Use;
- 3) Market Approach;
- 4) Revenue Approach;
- 5) Cost Approach;

The purpose and objective of the assessment by the land appraisal team is to provide an opinion that the value of compensation assessed will be used for the purpose of land acquisition for development in the public interest; i.e. the construction of a 150kV SUTT tower to facilitate access to electricity to the public. Thus, the assessment team must obtain clear information from the assignor regarding the valuation object to be assessed.

The valuation object included in the scope of the assignment must be based on a nominative list based on the results of identification and inventory carried out by the acquisition team of the 150kV SUTT tower. Measurements were taken to find out how much land was affected by land acquisition and then calculated by the land assessment team regarding the amount of compensation that must be paid by PT PLN to the people affected by this land acquisition.

After assessing the amount of compensation, the assessment team must explain in detail what was assessed for the land acquisition object. The assessment of the magnitude of the object of compensation is assessed in rupiah currency and does not use other foreign currencies in accordance with Presidential Regulation No. 71 of 2012 concerning the Implementation of Land Acquisition in the Development for Public Interest Article 76 paragraph 1. If the compensation requested by the community is in the form of land, then the party that needs land (PT PLN) is obliged to find replacement land that is in accordance with the land owned by the community affected by the construction of the 150kV SUTT tower.

### *Implementation of Compensation for Land Acquisition in the Development for Public Interest in the Construction of 150kV SUTT Tower*

#### **a. Socialization on the Compensation**

Socialization activities in the assessment of compensation for land affected by the construction of the 150kV SUTT tower were carried out before the discussion stage with the landowners. This socialization activity aim to make the community aware of the process and purpose of land acquisition, land price assessment and compensation processes that emphasize the activities of assessing the object of land acquisition carried out by an independent assessment team.

## b. Discussion

Discussion was held after the assessment of the value of compensation carried out by an independent assessment team. Land acquisition activities for the construction of the 150kV SUTT tower are usually carried out in the local Hall or Village Hall where land acquisition is carried out by inviting landowners affected by the land acquisition. Discussion was carried out in stages. This aimed to facilitate clarification of complaints, suggestions and requests from landowners.

The discussion meeting was attended by landowners affected by land acquisition for the construction of the 150kV SUTT tower in accordance with the provisions of Article 37 paragraph (1) of Law No. 2 of 2012 and Article 68 paragraph (1) of the Presidential Regulation No. 71 of 2012 implemented by the executor land acquisition namely the local Regency Land Office by involving agencies that need land in accordance with the provisions of Article 68 paragraph (2) Presidential Regulation No. 71 of 2012. The meeting was also attended by the Sub-District Head and Village Head related to land acquisition for the construction of 150kV SUTT towers.

Discussion activities were carried out in stages village by village. The meeting was attended by landowners. However, if the owners of the land were unable to attend, it can be represented by the family/heirs justified by the Head of the Village or other person who is authorized by showing a power of attorney given by the authorizer (landowner) to the land acquisition party. This discussion activity aims to inform landowners about land prices as a result of an independent assessment team, the amount of land affected by land acquisition, and the amount of compensation to be received by landowners affected by land acquisition.

**Table 1. Construction of 150kV SUTT Tower in Dasan Lekong Village, Sukamulia District, East Lombok Regency (2012)**

NAME OF PARTY	AREA (m <sup>2</sup> )	COMPENSATION VALUE PER m <sup>2</sup> (IDR)	AMOUNT OF COMPENSATION (IDR)	DESCRIPTION OF THE OBJECTS ABOVE THE LAND	VOLUME m <sup>2</sup> , UNIT	COMPENSATION VALUE ON AGREEMENT (IDR)	AMOUNT OF COMPENSATION (IDR)	TOTAL OF COMPENSATION (IDR)	AMOUNT OF COMPENSATION RECEIVED (IDR)
AMAQ HARINI	144	300,000	432,000,000	COCONUT	7	640,000	4,480,000	47,680,000	47,680,000
PE SAPOAN	225	320,000	72,000,000	-	-	-	-	72,000,000	72,000,000
<b>TOTAL</b>	<b>369</b>	<b>119,680,000</b>							

Data Source: PT PLN (Persero) Nusa Tenggara Development Main Unit

**Table 2. Construction of 150kV SUTT Tower in Mumbulsari Village, Bayan District, North Lombok Regency (2015):**

NAME OF PARTY	AREA (m <sup>2</sup> )	COMPENSATION VALUE PER m <sup>2</sup> (IDR)	FORM AND AMOUNT OF COMPENSATION FOR LAND (IDR)	FORM AND AMOUNT OF COMPENSATION FOR OBJECTS ABOVE THE LAND (IDR)	TOTAL (IDR)	TOTAL OF COMPENSATION RECEIVED (IDR)	DESCRIPTION
MAHULUD	144	80,000	11,520,000	-	11,520,000	11,520,000	Paid
H. SAWALUDIN	144	80,000	11,520,000	-	11,520,000	11,520,000	Paid
H. JAMIL	144	80,000	11,520,000	-	11,520,000	11,520,000	Paid
KAMALUDIN	114	80,000	11,520,000	-	11,520,000	11,520,000	Paid
ISNAWADI	114	80,000	11,520,000	-	11,520,000	11,520,000	Paid
<b>TOTAL</b>	<b>576</b>	<b>320,000</b>	<b>46,080,000</b>	<b>-</b>	<b>46,080,000</b>	<b>46,080,000</b>	<b>Paid</b>

Data Source: PT PLN (Persero) Nusa Tenggara Development Main Unit

**Table 3. Construction of 150kV SUTT Tower in Tanjung Karang Village, Sekarbela District, Mataram City (2015):**

NAME OF PARTY	TYPE OF LAND	AREA OF LAND (m <sup>2</sup> )	COMPENSATION VALUE ON THE LAND (IDR)	TYPE OF FUNCTION OF THE BUILDING	TYPE OF BUILDING	AREA OF BUILDING (m <sup>2</sup> )	COMPENSATION VALUE ON THE BUILDING (IDR)	TOTAL OF COMPENSATION (IDR)
SUPRIYONO	Yard	500	75,000,000	House	Permanent	226	18,570,000	93,570,000
SUKRI	Yard	260	19,470,000	-	-	-	-	19,470,000
I DEWA NYOMAN ASKARA	Agriculture	2084	203,145,000	-	-	-	-	203,145,000
<b>TOTAL</b>		<b>2,844</b>					<b>316,185,000</b>	

Data Source: PT PLN (Persero) Nusa Tenggara Development Main Unit

Compensation for objects that have values include:

- a. Physical (material) compensation for land and/or buildings and/or plants and/or other objects related to land.
- b. Non-physical (immaterial) compensation consists of reimbursement of loss of rights to landowners to be given in the form of money, as well as other losses that can be calculated including transaction costs, interest (waiting period compensation), losses on remaining land, and other types of losses stated by the assignor in the employment agreement.

Based on the results of the assessment, the area of land, buildings and plants in Dasan Lekong Village, Mumbulsari Village, and Tanjung Karang Village have values that are in accordance with the assessment standards. The total compensation for Dasan Lekong Village is IDR 119,680,000 (one hundred nineteen million six hundred eighty thousand rupiahs) with the highest value IDR 72,000,000 (seventy-two million rupiah) and the lowest IDR 47,680,000 (forty-seven million six hundred eighty thousand rupiah) which is divided into two people namely AMAQ HARINI and PE SAPOAN. The total area affected by land acquisition is 369 m<sup>2</sup> (three hundred sixty-nine square meters), 144 m<sup>2</sup> (one hundred forty-four square meters) on behalf of AMAQ HARINI and 225 m<sup>2</sup> (two hundred twenty-five square meters) in the name of PE SAPOAN. Furthermore, the amount of compensation per m<sup>2</sup> is IDR 620,000 (six hundred twenty thousand rupiahs) divided into IDR 300,000 (three hundred thousand rupiah) per m<sup>2</sup> for AMAQ HARINI and IDR 320,000 (three hundred twenty thousand rupiah) per m<sup>2</sup> for PE SAPOAN. The above land includes objects in the form of coconut belonging to AMAQ HARINI with a volume of RMPN 7 m<sup>2</sup> (seven square meters) per unit with the agreed compensation value of IDR 640,000 (six hundred forty thousand rupiahs) and the amount paid for that object is IDR 4,480,000 (four million four hundred eighty thousand rupiahs).

The total compensation for Mumbulsari Village is IDR 46,080,000 (forty-six million eighty thousand rupiahs) with the same amount of compensation received for each person, IDR 11,520,000 (eleven million five hundred twenty thousand rupiahs) divided into four names, namely: MAHLUD, H. SAWALUDIN, H. JAMIL KAMALUDIN, and ISNAWADI. In addition, the total area affected by land acquisition is 576 m<sup>2</sup> (five hundred seventy-six square meters) for each person affected by 144 m<sup>2</sup> (one hundred forty-four square meters) and the compensation value per m<sup>2</sup> is IDR 80,000 (eighty of thousands of rupiah) for a total of IDR 320,000 (three hundred twenty thousand rupiahs). According to the description, it has already been paid.

The total compensation for the Tanjung Karang Village is IDR 316,185,000 (three hundred sixteen million one hundred eighty thousand rupiahs) with the highest value of IDR 203,145,000 (two hundred three million one hundred and forty-five thousand rupiah) and the lowest value of IDR 19,470,000 (nineteen million four hundred seventy thousand rupiahs) divided into land types in the form of yards and agriculture. In addition, the total area affected by land acquisition is 2,844 m<sup>2</sup> (two thousand eight hundred forty four square meters) which is divided into 500 m<sup>2</sup> (five hundred square meters) on behalf of SUPRIYONO, 260 m<sup>2</sup> (two hundred and sixty square meters) on behalf of SUKRI and 2,084 m<sup>2</sup> (two thousand eighty four square meters) on behalf of I DEWA NYOMAN ASKARA. The compensation value for land is IDR 75,000 (seventy-five thousand rupiah) for SUPRIYONO, IDR 19,470,000 (nineteen million four hundred seventy thousand rupiah) for SUKRI and IDR 203,145,000 (two hundred three million one hundred and forty-five thousand rupiahs) for I NYOMAN GOD ASKARA. It also includes the type/ function of the permanent house building owned by SUPRIYONO with a building area of 226 m<sup>2</sup> (two hundred twenty-six square meters) and the compensation value for the building is IDR 18,570,000 (eighteen million five hundred seventy thousand rupiahs).

Discussion in the activity of determining compensation is certainly not carried out once. It aims to convince landowners to understand the compensation obtained from the results of the appraisal by the assessor in the field. In the discussion process, it is not easy to convince landowners because landowners still consider that the distribution of compensation is unfair. It impedes the smooth running of land

acquisition activities. The land acquisition team continued to approach landowners regarding the forms and ways to obtain the large compensation that would be received by each landowner. Thus, a fair agreement for landowners and land acquisition teams will occur.

After the landowners agreed to the results of the discussion then the report of the agreement was issued as a form that the landowners agreed to the results of the compensation. Then, landowners signed the report of the agreement and submitted proof of ownership of their land rights to PT PLN (Persero) Nusa Tenggara Development Main Unit. After the handover of proof of ownership, PT PLN (Persero) Nusa Tenggara Development Main Unit also asked them to open a bank account at PT Bank Rakyat Indonesia (BRI). For landowners who did not have an account at that bank, they would be assisted regarding registration of a new account to facilitate the compensation transaction.

From the perspective of legal enforceability, the implementation and determination of compensation in the land acquisition process for the construction of the 150kV SUTT tower in Mumbulsari, Dasan Lekong, and Tanjung Karang Villages are in accordance with the applicable laws or regulations; i.e. Law No. 2 of 2012 concerning Acquisition of Land for Development in the Public Interest. A review of the validity of a law must be reviewed based on 3 (three) aspects which include structure, substance, and legal culture. As the opinion expressed by Lawrence M Friedman, the important factors of the implementation and effectiveness of law in society depend on law enforcement officials, the contents of the law, and the culture in the society where the law is implemented.

The legal structure involved in this research is PT PLN (Persero) the Nusa Tenggara Development Main Unit as the government's representative in the acquisition of land for the 150kV SUTT tower in the three villages. In its implementation, PT PLN (Persero) Development Unit of Nusa Tenggara has carried out land acquisition in accordance with the applicable rules as described above. The stages of land acquisition carried out by PT PLN (Persero) of the Nusa Tenggara Parent Development Unit begin included land acquisition planning, preparation of land acquisition, implementation of land acquisition, and delivery of results. Thus, it was concluded that PT PLN (Persero) Nusa Tenggara Development Unit had enforced the law as ordered by the Constitution.

Substantially, based on the results of the author's review, Law No. 2 of 2012 concerning Land Acquisition for Development in the Public Interest has established good regulations that can be applied in the current people's lives. Then, based on the history of legislation concerning compensation for land acquisition in the development for public interest which previously did not have its own rules and was still in the form of presidential regulations, then Law No. 2 of 2012 concerning Land Acquisition for Development in the Public Interest is a unification of compensation arrangements of land acquisition in the development for public interest and a stronger source of law because it is in the form of an Law.

The renewal of the concept carried out by Law No. 2 of 2012 concerning Land Acquisition in the Development for Public Interest is a win-win solution that is different from the previous legislation. It is a concept that is better than the previous one. The legislation before Law No. 2 of 2012 concerning the Acquisition of Land for Development in the Public Interest uses compensation, which causes one party to be harmed. However, Law No. 2 of 2012 concerning Land Acquisition in the Development for Public Interest brings a concept that benefits both parties consisting of the community and the government whose land will be taken for public interest. This has an impact on government policy making in applying compensation values and the compensation stages. One of them can be seen from the basis of the imposition of compensation for the people who previously leaned on the Tax Object Selling Value (NJOP) from the land or buildings to be compensated. Currently, the amount of the value is determined based on the results of appraisal assessment determined by market value, highest and best use (hereinafter referred to as HBU), market approach, income approach, and cost approach. Those are expected to create justice for all parties.

Legal culture in a particular system of society can be seen from how the community implements a law. In this case, it highlights how the behavior of people from the 3 (three) villages in addressing land acquisition carried out by PT PLN (Persero) the Nusa Tenggara Development Unit for the construction of 150kV SUTT tower. In the land acquisition for the construction of 150kV SUTT tower, the community in the three villages gave a negative response in the form of compensation requests at very high prices and



were reluctant to relinquish their ownership even though the lands were replaced with high compensation and did not heed the principle of public interest. These are obstacles that hinder the land acquisition process for the construction of 150kV SUTT tower. Thus, it can be concluded that the community in the three villages did not support the effort to acquire land for the construction of the 150kV SUTT tower.

### **Conclusion**

The implementation and compensation process carried out public consultations before giving the compensation. The process of communication or stakeholder discussion was carried out to achieve understanding and agreement in determining the site of land acquisition activities in the development for the public interest. After the agreement in the public consultation for the determination of the location occurred, it was followed by an assessment of compensation carried out by the assessment team formed by the Governor through the local National Land Agency. Furthermore, discussion was held to determine the value of compensation to fulfill the rights of the people whose land was affected by land acquisition for the construction of a 150kV SUTT tower.

The implementation and determination of compensation in the land acquisition process for the construction of the 150kV SUTT tower in Mumbulsari, Dasan Lekong and Tanjung Karang villages was less effective. It was because one of the three legal effectiveness factors i.e. legal culture, in the implementation of land acquisition for development in the public interest, did not show positive results. For the sake of legal effectiveness, the legal culture of the communities in the three villages must be and immediately corrected.

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