

The Implication of Land Acquisition for the Supply Chain Development Management of National Strategic Project towards Sustainable Agricultural/Farming Land: The Case Study of the Development Project of Jakarta-Bandung Rapid Train

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Abstract— Indonesia is in the middle of increasing the land acquisition made for the public interest, since the focus of the Indonesian government currently is to develop the infrastructure necessary for the public. The case considered in this paper is the construction in the infrastructure of Jakarta-Bandung Rapid Train. In the execution of supply chain development of the Jakarta-Bandung Rapid Train, the government is using the acquisition of land from the public, of which, agricultural land along the train-route must be handed-over for the sake of the supply chain development. This is interesting to study because there has been a change of function of agricultural land to non-agricultural land, in the Article 44 paragraph (1) of the Law Number 41 of 2009 concerning the Protection of Sustainable agricultural/farming land, it is stated that land that has been designated as sustainable agricultural/farming land is under protection and its acquisition, should not be conversed for other purpose. However, in the paragraph (2), it is stated that with respect to the public interest, the sustainable agricultural/farming land, might have conversion to purpose according to the rules and regulations. This study is using a normative juridical approach and it has analytical descriptive nature. It describes theories about the land acquisition, sustainable agricultural/farming land, and other related theories. The result shows that the supply chain development of the Jakarta-Bandung Rapid Train project executed was apparently not in accordance with the Spatial Zoning Plan (SZP) of the area where the supply chain development is taking place, meanwhile, the Law Number 2 concerning the Land Acquisition for Supply chain development in the Public Interest requires the supply chain development to be in line with the SZP, for that matter, the government is initiating solution on changing the SZP.

Keywords— *Land Acquisition, National Strategic Projects, Sustainable Agricultural/Farming Land, Supply Chain Management*

Introduction

Regulation on land acquisition is in the form of law, namely the Law Number 2 of 2012 concerning the Land Acquisition for Supply chain development in the Public Interest. As a source of supply chain development, land used for public interest is regulated in a limitative manner, for example, the acquisition of land for public roads, highways, tunnels, railway lines, train stations and train operation facilities [1]. Besides, these supply chain developments are required to comply the Regional Spatial Zoning Plan, National / Regional Supply chain development Plan, Strategic Plan, and Work Plan of each institution that requires land.

The Indonesian Constitution states that the State has the authority to control every productive activity that affects the lives of the general public [2]. This statement was long interpreted to mean that the public sector has exclusive right to provide the infrastructure services. The politic of supply chain development is emerging through the establishment of Presidential Regulation Number 3 of 2016 concerning the National Strategic Project, it is a policy in the field of infrastructure supply chain development that has the aim to increase access and connectivity of the public [3]. Various rules and regulations that becomes the positive law when the policy was enacted, needs to be adjusted to enable its implementation [4].

There is an intensity of supply chain development that demands an acquisition of relatively broad land for various purposes (housing settlements, industries, various infrastructures), it has forced the conversion of agricultural land, especially in rural areas, to become a non-agricultural with all of its consequences [5].

It is safe to say that these supply chain developments are hardly reaching the pattern of life

of the farmers, that has increasing difficulties in avoiding themselves from the compulsion of releasing their land due to the government's licensing practices that open possibilities for the conversion of land function based on the Regional Spatial Zoning Plan (RSZP) of the Second Level of Governance, for reasons of supply chain development interest, directs the transfer of land functions [6].

As in most developing countries, land tenure relations in Indonesia are contentious. The many transitions involving land use – from agriculture to industry, from rural villages to urban neighbourhoods, from subsistence farming to plantations – exert heavy pressure on social relations. Exert heavy pressure on social relations. The contributions to this volume provide vivid accounts of this; whether they concern infrastructure supply chain development, housing, oil palm regimes, agricultural change or mining, they demonstrate that changes to land use are often accompanied by conflict, violence, forced migration and other types of misery [7].

One of the project that has caused legal problems is the Supply chain development of Jakarta-Bandung Rapid Train, the execution of this project of infrastructure supply chain development was obstructed due to its location, since it was not planned beforehand in the Government Regulation Number 26 of 2008 concerning the National Spatial Zoning Plan (NSZP), Provincial Regulation of West Java Number 22 of 2010 concerning RSZP of the West Java Province and RSZP of Regency / City where the project passes by.

In the execution of the Supply chain development of the Jakarta-Bandung Rapid Train, the government is using the land acquisition from the public, and among those lands, there are agricultural land along the train-route which must be handed-over for the sake of the supply chain development the land acquisition is made by the mechanism of land acquisition. This is interesting to study because there has been a change of function of agricultural land to non-agricultural land, in the Article 44 paragraph (1) of the Law Number 41 of 2009 concerning the Protection of Sustainable agricultural/farming land, it is stated that land that has been designated as sustainable agricultural/farming land is under protection and its acquisition, should not be converted for other purpose. However, in the paragraph (2), it is stated that with respect to the public interest, the sustainable agricultural/farming land, might have conversion to purpose according to the rules and regulations.

Based on the description above, the problem that might be identified shall be as follows:

1. How is the implication of the Supply chain development Project of Jakarta-Bandung

Rapid Train to the implementation of land acquisition to the supply chain development in the public interest?

2. What is the impact of land acquisition for the Supply chain development Project of the Jakarta-Bandung Rapid Train to the existence of Sustainable agricultural/farming land?

1. Methods

This study is using a normative juridical approach, which prioritizing the use of secondary data in the form of legal materials. The legal materials necessary for this study are the primary, secondary, and tertiary legal materials. Primary legal materials are the legal materials obtained directly from the authorized publisher, whether in the form of laws, jurisprudence, treaties, including those obtained in the electronic form through internet media. The analysis was made by using the method of the law interpretation to the data and information obtained, by referring to the principles and norms prevailing in society.

This research is analytical descriptive in nature, it creates systematic, factual and accurate scrutiny of facts. It also intends to provide as much as detailed data as possible on humanity and other occurrences. It will illustrate various legal issues and facts and other occurrences related to the acquisition of land for supply chain development, then conduct an analysis to obtain a complete and comprehensive picture of the issues studied.

The data collection method used in this regard, is the study made to the documents, with the aim to collect secondary data, meanwhile, the collection of primary data is made through interview with the selected respondents.

The method of data analysis is made in juridical qualitative manner, *First* through the research against the legal principles of the rule of law which placed as a benchmark of behavior. Research made to the principles entails philosophical study and comprise of ideal elements of the law. *Second*, the research made on the system of law with reference to the legal events, and connected to the characteristics of legislation. *Third*, the research to the degree of vertical and horizontal synchronization, whereas it is made to reveal the extent to which certain legislation is harmonious, by creating an inventory of the related regulations. *Fourth*, Comparison of Law is made by reviewing the elements, especially the legal structure, substance and legal culture.

2. Results and Discussion

3.1 Sustainable Agricultural/Farming Land

Sustainable Agricultural/Farming Land is a field of cultivation of land set for protection and

consistent supply chain development to produce staple food for the independence, security and sovereignty of the national food [8]. Agricultural land for food enacted as sustainable might be in the form of:

- a. Irrigated land;
- b. Reclamation land for tidal marsh and non-tidal marsh (valley); and / or
- c. Non-irrigated land

The determination of the Protection Plan for the sustainable agricultural/farming land is stipulated under the Long-Term Supply chain development Plan (LTDP), Medium-Term Supply chain development Plan (MTDP), and Annual Plan, either in the national level through the Government Work Plan (GWP), province, or district / city. The government is executing the control of the sustainable agricultural/farming land through the land acquisition:

- a. Incentives;
- b. Disincentives;
- c. Licensing mechanism;
- d. Protection; and
- e. Counseling.

The government gives incentives to farmers in the form of:

- a. Relief to the Land and Building Tax;
- b. Supply chain development of agricultural infrastructure;
- c. Funding for research and supply chain development of seeds and high quality varieties;
- d. Ease of information and technology access;
- e. Procurement of facilities and infrastructure for agricultural production;
- f. Guarantee of issuance for the certificates of agricultural land for food through land registration made in sporadic and systematic manner; and / or
- g. Awards for high achieving farmers.

The Provisions of the Article 44 of the Law Number 41 of 2009 concerning the Protection of Agricultural Land for Sustainable Food basically prohibits the conversion of function for the agricultural land, however, it is permissible if it is required by the public interest, with the following conditions:

1. Made with strategic feasibility study;
2. There must be arrangement of plan for the conversion of function;
3. The owner has free right to own;
4. Acquisition of land replacement for the converted land.

The conversion of function of agricultural land is a threat to the achievement made by the food security and sovereignty. It resulted into serious implications to the food production,

physical environment, as well as the welfare of agricultural and rural communities whose lives depend on their land [9]. All this time, the conversion of function of the fertile agricultural lands are not balanced by the integrated effort to develop the agricultural land by procuring new potential agricultural land. On the other hand, the conversion of function of the agriculture land for food is narrowing the area of land eligible for cultivation and has often times affected the decrease of welfare level of the farmers.

Here are the various reasons that play role as the main factors to cause the conversion of the land function, either due to land rent, rules, competition, farmers' welfare, land management breadth, ownership area, and the status of land management are:

- a. Competition in the use of the land as an impact from the economic growth.
- b. The exchange rate of land for the construction of housing settlement, shopping area, and industrial area are much higher than the exchange rate (*land rent*) of the rice fields.
- c. Suppressed by a very important needs (sending children to school), they only have land (rice fields) as their sole property, hence they have no other choice than to sell the land.

Acquisition of substitute for the converted Agricultural Land for Sustainable Food is made based on the suitability of the land, provided that: In case of irrigated land, the breadth of new land shall be at least three times larger of the converted land;

- a. In case of reclamation land for tidal marsh and non-tidal marsh (valley), the breadth of the new land shall be at least twice larger of the converted land; and
- b. In case of non-irrigated land, the breadth of the new land shall be at least one time larger of the converted land.

In holding the supply chain development in the agricultural field, the farmers have a central role and giving a major contribution. Farmers are the actor in this agricultural supply chain development, generally, they are putting small scale of endeavor, upon the average area of farming of less than 0.5 hectares [10]. In fact, most of the farmers do not have their own land for farming, they are usually know as cultivators, sometimes farm workers. Farmers usually have weak bargaining position the production facilities, financing, and access to the market [11]. This is one of the reasons of the birth of the Law Number 19 of 2013 concerning the Protection and Empowerment of Farmers. The protection to Farmer is given to:

- a. Cultivators of food plants who does not have agricultural land and work on a maximum area of 2 (two) hectares;

- b. Farmers who has land and cultivate food crops on a maximum area of 2 (two) hectares; and / or
- c. Horticultural farmers, planters, or small scale farmers according to the rules and regulations.
- d. Empowerment of farmers is made to advance and develop their mindset and work pattern, improve their farming business, as well as in need of and can strengthen the farmers as institutions, to be able to be independent and be highly competitive

3. 2 Land Acquisition for the Supply chain development in the Public Interest

Legal protection in land acquisition for public interest would be relevant if it is approached with the administrative law perspective, because one field of administrative law is to regulate the relationship of government to the people, also set the legal protection for the people, and the land acquisition is one of the forms of government action. Ian Ellis-Jones stated that the law regarding the administration closely with procedural fairness in making administrative decisions that can result in a person's right.

The of cited 'duty to act judicially', in the context of administrative decision making, now refers to a duty to act 'fairly' in the sense of according procedural fairness in the making of any administrative decision that affects a person's right, interests or legitimate expectations.

The problem that has never been resolved in the field of land law from time to time, is the issue of expropriation of public's or people's land for the government's supply chain development project in the name of public interest. In the implementation of Act No. 2 of 2012 on the acquisition of land for supply chain development for the public interest in making infrastructure, in its implementation found many problems causing the slow completion of land acquisition for the construction.

Legal instruments of land acquisition for infrastructure supply chain development can be carried out in three ways as follows: (1) The release of land rights stipulated in Law No. 2 Year 2012 on Land Acquisition for Supply chain development for Public Interest; (2) Revocation of land rights regulated in Law Number 20 Year 1961 About the Revocation of the Right to Land and Property Objects that are therein; and (3) The sale and purchase, exchange or other means agreed upon by both parties.

Problems with the acquisition, release, expropriation, revocation or any other names of act towards the land, will always involve two interests that must be placed in a balanced manner. The two

interests are the government's and the citizen's/people's as landowners or holders of the rights over the land. These two parties, namely the authority / government and the people, must jointly pay close attention and comply the regulating principles and its consequence or effect. In the Article 1 number 2 of the Law Number 2 of 2012 it is stated that:

"Land acquisition is the activity of procuring land by providing appropriate and fair compensation to the entitled party".

Meanwhile, the definition of Public Interest according to the Article 1 Number 6 of the Law Number 2 of 2012 is as follow:

"Public interest is the interest of the nation, the state and the society that must be manifested by the government and be used as much as possible for the people's prosperity."

The acquisition of land aims to provide the execution of the supply chain development with lands, in order to improve the welfare and prosperity of the nation, the state and the society while still ensuring the legal interests of the entitled parties. Upon compensation or the court's final decision, a certain party shall be obliged to release their ownership over the lands that placed as the public interest.

- a. In the Article 10 of the Law Number 2 of 2012, it is stated that for public interest, land might be used for the supply chain development of:
 - b. National defense and security;
 - c. Public roads, highways, tunnels, railways, train stations, and train operation facilities;
 - d. Reservoirs, dams, weirs, irrigations, drinking water channels, drainage sewages and sanitation, and other irrigation structures.
 - e. Ports, airports and terminals;
 - f. Oil, gas and geothermal infrastructures;
 - g. Electric power plantations, transmissions, substations, networks and distributions;
 - h. Networks for the Government's telecommunications and informatics;
 - i. Landfills and waste treatment;
 - j. Hospitals for the Government/Regional Government;
 - k. Public safety facilities;
 - l. Public Cemeteries for the Government/Regional Government;
 - m. Social facilities, public facilities and green open spaces for the Government/Regional Government;
 - n. Nature reserves and cultural reserves;

- o. Offices for the Government/Regional/District Government;
- p. Arrangement of urban slums and/or land consolidation, as well as housing for low-income society with rental status;
- q. Education or schooling facilities for the Government/Regional Government;
- r. Sports facilities for the Government/Regional Government;
- s. Public markets and public parking lots.

Acquisition of land for the public interest as above is mandatory for the Government, and thus, the land shall be subsequently owned by the Government or Regional Government. Government grants an award to the people handing over their rights of the land for the sake of public interest by giving compensation. It is recognized that in reality, one of the most complicated things in any process of land excursion is the determination of compensation amount. The valuation of the compensation is made per piece of land by an appraisal, it is regulated under the Article 33 of Law Number 2 of 2012, which includes:

- a. Lands;
- b. The basement and ground level rooms;
- c. Buildings;
- d. Plants;
- e. Objects related to land; and / or
- f. Other losses that can be valued.

The grant of compensation is regulated under the Article 36 of Law Number 2 of 2012, whereas, a compensation given in the form of:

- a. Money;
- b. Replacement of land;
- c. Resettlement;
- d. Shareholding; or
- e. Other forms agreed by both parties

Since the determination of the amount of compensation is the most crucial matter and it may directly touches the sense of justice of the holders of land rights, then one must prepare all factors that might affect the price of land carefully, and if in case the index of these factors are already exist, then the highlighted test shall be on the good faith of the executor.

If a supply chain development plan is made by ignoring the condition of local environment, including lack of accommodation to the people's aspirations, it is highly possible that it might raise conflict, since the people is not exposed to the benefit of the program despite that the project might actually made for public interest [12]. The participation from the society during early stages of planning, especially to the projects that involving the public interest, will make them feel responsible for its execution.

The advantages of land consolidation projects to the public sector are that the benefits of

supply chain development can be spread over a larger community with relatively low financial requirements [13]. Residents also benefit from the improvement of living environment, increase in asset values, and maintenance of existing social and community ties. Land consolidation can be implemented by individuals, associations or public organizations. A flexible financial plan can be prepared through adjustment in contribution ratio and a land consolidation project can be combined with other supply chain development plans such as urban renewal and housing supply chain development. The replotting or physical layout of a project area ensures that all rights and encumbrances to land parcels are carried over to the post-project supply chain development and that the development takes place in accordance with the urban land use plan [14].

Substantially, Law Number 2 of 2012 has been very accommodative, responsive, and democratic as one of the steps to guarantee the rapider or in time execution of land acquisition. The substance of this law has been accommodating and responding to both interests of executor of the supply chain development and the society, in a balanced manner. In fact, this law has led to the openness and participation of the citizens to be involved as of the start of planning process to the end of the execution of land acquisition as the edge of the democratic process. They even express the said democracy by giving opportunities to the affected citizens to bring a lawsuit to court.

3.3 The Supply chain development of Jakarta-Bandung Rapid Train

If we do not consider the notion of sustainable supply chain development and prioritize on the prevention instruments and/or environmental damage, a supply chain development of large-scale infrastructure will both damaging the natural landscape, and also polluting or even destroying the environment. Besides, it will affect to the social life of the local people. One of the said infrastructure supply chain developments is the construction of the Jakarta-Bandung rapid train.

Supply chain development in Indonesia is based on spatial planning, observation and compliance to the pattern and function of space, in order to have measurable use, control and evaluation of supply chain development, taking into consideration the economic, social, cultural and environmental conditions.

The Law number 26 of 2007 concerning Spatial Planning states that spatial planning is based on the system of approach, the main functions of the area, administrative areas, regional activities and the strategic value of the area. In connection to the regional autonomy policy, the authority of organizing spatial planning might be borne by the Government and regional

governments, which covers the regulating, guiding, implementing, and supervising activities of the spatial planning. It is based on the approach to a certain area with administrative area as boundaries. The said approach of administrative areas has divided the spatial planning throughout the territory of the Unitary Republic of Indonesia into national, provincial, regency, and city area, each of which is a sub-system of space according to administrative boundaries. In such sub-system, there are human resources with a variety of activities who use natural and artificial resources, with different level of spatial use. If this is not arranged properly, then it may lead to an imbalance of supply chain development and use among the areas.

The supply chain development project of the Jakarta-Bandung rapid train is a collaborative project between the Chinese Enterprises Consortium consisting of 9 companies (led by China Railway Co., Ltd.) and the Indonesian Consortium consisting of 8 State Owned Companies, namely: PT. Wijaya Karya (Persero) Tbk –PT.WIKA as Chairman, PT. Kereta Api Indonesia (PT. KAI), PT. Jasa Marga (Persero) Tbk, PT. Perkebunan Nusantara (Persero) VIII (PT. PN VIII), PT. Railroad Industry (Persero) (INKA), PT. Len Industri (Persero) (LEN), PT. Pembangunan Perumahan (Persero) Tbk (PP) and PT. Adhi Karya (Persero) Tbk (ADHI). This project was initiated by the central government, in the context of regional construction and supply chain development. With the length of line of up to 145 km, the project of the Jakarta-Bandung Rapid Train which is resulting from the collaboration between Indonesia-China, will be crossing 9 regencies and cities, as well as 83 villages and rural areas. There are 4 (four) Transit Oriented Supply chain development (TOD) which shall be developed along the line-route, such as TOD Halim, Karawang, Tegal Luar and Walini.

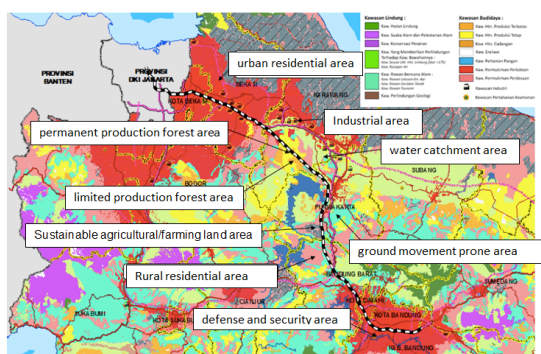


Figure 1. Jakarta-Bandung Rapid Train Line

Source: West Java Regional Environmental Management Agency, 2016

Based on the picture above, the area of agricultural land for food which are found in Sempur and Cibogo Hilir Rural Areas, Plered Sub-District of Purwakarta Regency, shall be crossed by the track/line of the rapid train. The conversion of function of the agricultural land is a threat to the achievement made by food security and sovereignty. The conversion of function of agricultural land is a threat to the achievement made by the food security and sovereignty. It resulted into serious implications to the food production, physical environment, as well as the welfare of agricultural and rural communities whose lives depend on their land. All this time, the conversion of function of the fertile agricultural lands are not balanced by the integrated effort to develop the agricultural land by procuring new potential agricultural land. On the other hand, the conversion of function of the agriculture land for food is narrowing the area of land eligible for cultivation and has often times affected the decrease of welfare level of the farmers. Therefore, the control to the conversion of function of the agricultural land for food through its protection is one of the efforts to manifest the food security and sovereignty, in order to improve the prosperity and welfare of the farmers and the community in general.

The supply chain development of infrastructure in West Java is included in the Fourth Mission of West Java's Government, namely: Creating a comfortable West Java and Supply chain development of Sustainable Strategic Infrastructure. In the 2013-2018 West Java Regional Medium-Term Supply chain development (RMTD), the supply chain development of infrastructure in the field of transportation is made in order to improve the services to support the motion of people and goods, as well as to develop a comfortable public transportation system for the region. One of the directions of the policy in the field of transportation is the supply chain development of systems for the land and rail transportation and the mass transportation (Mass Rapid Transport). The project of Jakarta-Bandung Rapid Train is still in line with the supply chain development plan of infrastructure in West Java, However, this project has only emerged after there is an enactment of West Java SZP and the relevant regional SZP. In consequence, this project does not exist in the spatial zoning plan of West Java.

The result of this study shows that the national strategic project is made with legal basis from the Presidential Regulation No. 3 of 2016 concerning the Acceleration of the Execution of the National Strategic Project, the Presidential Regulation No. 58 of 2017 concerning the Amendment to the Presidential Regulation No. 3 of 2016 concerning the Acceleration of the Implementation of the National Strategic Project,

the Presidential Regulation No. 56 of 2018 concerning the Second Amendment to the Presidential Regulation No. 3 of 2016 concerning the Acceleration of the Implementation of the National Strategic Project which was apparently not made in accordance with the regional SZP as the place of the supply chain development. Meanwhile, the Law Number 2 concerning the Acquisition of Land for the Supply chain development in the Public Interest requires that an acquisition of land for certain supply chain development must be in accordance with the SZP, for that matter, the government is initiating on changing the SZP. In the end, the spatial planning is potentially required to “yield” to the economic interests, instead of complying to the environmental issues, by the enactment of changes in the NSZP through the stipulation of the Government Regulation Number 13 of 2007 concerning the Amendment to the Government Regulation Number 26 of 2008 concerning the National Spatial Zoning Plan which basically accommodates interests, policies and also dynamics of the supply chain development.

The Article 21 of the Presidential Regulation Number 58 of 2017, states that the acquisition of land for the execution of the national strategic project shall be made by the Central Government, Regional Government, and/or Business Entities in accordance with the provisions of the rules and regulations of the National Strategic Project implemented by the relevant institution assigned by the Central Government. The acquisition of land shall be made through the provisions of the rules and regulations in the field of land acquisition for the supply chain development in the public interest with as minimum time as possible. The National Strategic Project executed by the State Owned Enterprise without any assignment from the Central Government or private business entity, shall obtain land acquisition through consent made with the land owner. The location of land allocated for the National Strategic Project is determined by the Governor. There is no land that can have transfer of rights from the owner to the other party without determination of location by the National Land Agency.

The supply chain development project of the Jakarta-Bandung rapid train was made without prior Strategic Environmental Assessment (SEA), this is actually not in accordance with the Law of Environmental Protection and Management which states that the SEA is mandatory before the execution of Policies, Plans and Programs. SEA is a series of systematic, comprehensive, and participative analysis made to ensure that a supply chain development of certain area, policies, plans and/or programs has already use the principle of sustainable supply chain development as its basis

and has been integrated to the supply chain development of such area and/or policies, plans, and/or programs. SEA has different position with the Environment Impact Analysis (EIA), which pre-requirement for the issuance of certain environmental license. SEA only serves the function to ensure that certain policies, plans or programs has already running in accordance with the principles of sustainable supply chain development. This has both advantages and disadvantages. The advantage is that there is no time limit in the implementation of the SEA. Despite that the governing law that regulates the obligation of SEA was already enacted way beforehand, however, the President has just signed the Presidential Regulation on SEA in October 2016. Hence, it creates a condition where there was no existing guidelines of the required SEA at the time of the Jakarta-Bandung rapid train planning. This is the reason why the SEA is not implemented in this regard. However, even if in case of already running policies, plans or programs, it is possible to implement the SEA along the run, in order to ensure that the relevant policies, plans and programs are applying the principles of the Sustainable Supply chain development. On the other hand, the absence of sanction for the negative performance of SEA has also made SEA's position becoming weaker as a controlling instrument, since it is as if that the government will suffer no loss in exchange of SEA's absence.

There has been around 99% out of 6 ha land released until 11th of September 2019, to fulfill the acquisition for the execution of the supply chain development of the national strategic project as in the Jakarta-Bandung Rapid Train, and thus 1% remains. In accordance with the Law Number 2 of 2012, the parties object to the amount of compensation may file their objection to the district court no later than 14 days after a deliberation for the compensation took place. Then, the district court shall decide the amount of the compensation no later than 30 days after the submission of the objection.

The supply chain development project of the Jakarta-Bandung Rapid Train is affecting the sustainable agricultural/farming land, since the train-line is crossing along many agricultural lands that has been long allocated for the sustainable agricultural/farming land, namely the Sempur and Cibogo Hilir Rural areas, Plered Sub-District, Purwakarta Regency.

The conversion of function of the sustainable agricultural/farming land in the sense of public interest, might be made, provided that: made with strategic feasibility study, there must be arrangement of plan for the conversion of function, the owner has free right to own; there is an acquisition of replacement for the converted land.

The acquisition of replacement agricultural land for the purpose of sustainable food is made with the basis of land suitability, which at least three times of the breadth of land in case of the conversion of irrigated land, at least twice of the area of land in case of reclamation land for tidal marsh and non-tidal marsh (valley), and at least one time of the area of land in case of non-irrigated land.

According to the Law Number 2 of 2012 concerning the Land Acquisition for the Supply chain development in the Public Interest, the amount of compensation must be assessed by a land appraiser. The assessment must be made for each piece of land, which includes the land, upper and lower ground spaces, buildings, plants, objects related to the land, losses that can be assessed.

Compensation is the most occurring problem in terms of land acquisition, since it is related to the ownership of the rights of the land as their pedestal of life, either as a place to build houses or to make a living as a farmer. The calculation of the compensation must not override the principles that apply in the land regulations, despite that it is based on the principle of social function, however, it still must pay attention to the personal interests of the land owners.

3. Conclusion

There has been around 99% out of 6 ha land released, to fulfill the acquisition for the execution of the supply chain development of the national strategic project as in the Jakarta-Bandung Rapid Train, and thus 1% remains. In accordance with the Law Number 2 of 2012, the parties object to the amount of compensation may file their objection to the district court no later than 14 days after a deliberation for the compensation took place. Then, the district court shall decide the amount of the compensation no later than 30 days after the submission of the objection. In connection with the compensation. According to the Law Number 2 of 2012 concerning the Land Acquisition for the Supply chain development in the Public Interest, the amount of compensation must be assessed by a land appraiser. The assessment must be made for each piece of land, which includes the land, upper and lower ground spaces, buildings, plants, objects related to the land, losses that can be assessed.

The supply chain development project of the Jakarta-Bandung Rapid Train is affecting the agriculture land for food sustainability, since the construction is crossing the agricultural land allocated for food plantation. The conversion of function of the sustainable agricultural/farming land for the sake of public interest may be made provided that: made with strategic feasibility study, there must be arrangement of plan for the conversion of function, the owner has free right to

own; there is a acquisition of replacement for the converted land. The acquisition of replacement land for the sustainable agricultural/farming land, is made based on the land suitability, which at least three times of the breadth of land in case of the conversion of irrigated land, at least twice of the area of land in case of reclamation land for tidal marsh and non-tidal marsh (valley), and at least one time of the area of land in case of non-irrigated land. However, to this date, the author has not obtained the information on the said land replacement.

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