

**MEDIASI SEBAGAI PENYELESAIAN KASUS PERTANAHAN ATAS
TANAH NEGARA BEKAS HAK GUNA BANGUNAN NOMOR 83 DESA
JATISAWIT KECAMATAN BUMIAYU KABUPATEN BREBES**

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ABSTRAK

Perbedaan persepsi dari hapusnya hak guna bangunan terjadi pada Tanah Negara bekas hak guna Bangunan Nomor 83/Jatisawit yang disebabkan karena ahli waris Tiras Hendarmo bermaksud mengajukan kembali permohonan hak yang telah habis masa berlakunya. Namun pada bidang tanah tersebut ternyata telah berdiri bangunan milik Dinas Sosial dan Taman Makam Pahlawan Penelitian ini membahas tentang bagaimana proses mediasi sebagai penyelesaian kasus Tanah Negara bekas Hak Guna Bangunan Nomor 83 di Desa Jatisawit Kecamatan Bumiayu Kabupaten Brebes dan bagaimana kendala dalam pelaksanaan mediasi sebagai penyelesaian kasus Tanah Negara bekas Hak Guna Bangunan Nomor 83 di Desa Jatisawit Kecamatan Bumiayu Kabupaten Brebes. Penelitian ini menggunakan metode pendekatan yuridis empiris dengan spesifikasi deskriptif analitis yang dilakukan di Kantor Pertanahan Kabupaten Brebes, Kantor Badan Pengelolaan Aset Daerah (BPKAD) Kabupaten Brebes dan Desa Jatisawit. Jenis sumber data meliputi data primer dan data sekunder yang diperoleh dengan menggunakan metode wawancara, observasi non-partisipan, dan dokumentasi. Data yang terkumpul kemudian diolah menggunakan teknik reduksi data. Analisis data menggunakan metode analisis deskriptif kualitatif dan disajikan dalam teks narasi. Hasil dari mediasi yang telah dilakukan tercapai kesepakatan untuk pembagian Tanah Negara Bekas Hak Guna Bangunan Nomor 83/Jatisawit seluas 7.499 m² dibagi kepada Pemerintah Daerah Kabupaten Brebes seluas 2.569 m² di bagian utara dan Fuad Hasyim Fodli selaku kuasa Ahli Waris Tiras Hendarmo seluas 4.705 m² di bagian selatan, sedangkan sisa dari tanah tersebut digunakan untuk kepentingan umum. Namun, pelaksanaan mediasi sempat mengalami kendala internal karena para pihak merasa mempunyai hak prioritas untuk memohon bidang tanah tersebut dan kendala eksternal seperti kendala jarak dan waktu.

Kata Kunci: Hak Guna Bangunan; Tanah Negara; Mediasi

**MEDIATION AS A RESOLUTION OF LAND CASES OVER STATE LAND
FORMER BUILDING USE RIGHTS NUMBER 83 JATISAWIT VILLAGE
BUMIAYU DISTRICT BREBES REGENCY**

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ABSTRACT

Differences in perception regarding the abolition of building use rights occurred on State Land with former building use rights Number 83/Jatisawit, which was caused by the heirs of Tiras Hendarmo intending to reapply for rights which had expired. However, on that plot of land, turned out that there was a building belonging to the Social Service and Heros Cemetery. This research discuss the mediation process as a resolution of the case of State Land with former Building Use Rights Number 83 in Jatisawit Village, Bumiayu District, Brebes Regency and what the obstacles are in implementing mediation as a resolution of the case of State Land with former Building Use Rights Number 83 in Jatisawit Village, Bumiayu District, Brebes Regency. This research uses an empirical juridical approach method with analytical descriptive specifications which was carried out at the Brebes Regency Land Office, the Regional Asset Management Agency Office for Brebes Regency and Jatisawit Village. Types of data sources include primary data and secondary data obtained using interview methods, non-participant observation and documentation. The collected data is then processed using data reduction techniques. Data analysis uses qualitative descriptive analysis methods and presented in narrative text. As a result of the mediation that has been carried out, an agreement has been reached for the distribution of former State Land with Building Use Rights Number 83/Jatisawit covering an area of 7,499 m² to the Regional Government of Brebes Regency covering an area of 2,569 m² in the northern part and Fuad Hasyim Fodli as the proxy for the Heirs of Tiras Hendarmo covering an area of 4,705 m² in the southern part , while the rest of the land is used for public purposes. However, the implementation of mediation experienced internal obstacles because the parties felt they had priority rights to request the land plot and external obstacles such as distance and time constraints.

Keywords: *Building Use Rights; State Land; Mediation*