

IMPLEMENTATION OF ABANDONED LAND CONTROL IN BADUNG REGENCY, BALI

Ni Nyoman Wulan Ratna Komala SARI¹, I Made SUWITRA², Ni Made Jaya SENASTRI³
¹²³Master of Law Program, Faculty of Postgraduate Studies, Warmadewa University, Denpasar, Indonesia

Corresponding author: Ni Nyoman Wulan Ratna Komala Sari

E-mail: wulanratna139@gmail.com

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Abstract:

This study examines the implementation of abandoned land control and the legal protection for land rights holders in Badung Regency, Bali. The high incidence of abandoned land in the region, driven by rapid tourism and investment development, has posed challenges to land utilization and social justice. Although Government Regulation No. 48/2025 mandates land utilization within two years of rights issuance, many landholders fail to comply, resulting in lands being categorized as abandoned. Using empirical legal research with statutory, case, conceptual, and sociological approaches, the study applied qualitative data analysis. Findings indicate that despite the enactment of PP No. 48/2025, only a fraction of abandoned lands is processed effectively, primarily due to budget limitations and inter-agency coordination gaps. Legal protections, including prior notifications, exist but are insufficiently applied, raising concerns over justice and certainty for landholders. Recommendations include enhanced regulatory synchronization, stricter monitoring, and improved coordination among agencies.

INTRODUCTION

Land is a fundamental resource with multidimensional significance, encompassing economic, social, and legal dimensions. In Indonesia, land rights are not absolute; they are regulated under the Basic Agrarian Law (by and the Constitution to ensure the social function of land for the welfare of the community. The rapid development of tourism and investment in Badung Regency, Bali, has led to increasing cases of abandoned land, particularly lands under Building Use Rights (HGB), which are left unused or underutilized (Arisaputra & Ashri, 2025; Buana, 2020; Gunadi, 2019; Lucas & Warren, 2013). This situation poses challenges not only to land utilization but also to equitable governance and public resource management. The problem of abandoned land in Badung demonstrates a gap between normative legal provisions and their practical implementation. Although PP No. 48/2025 mandates that rights holders must utilize land within two years, many lands remain unutilized due to administrative, economic, or structural factors. This gap creates potential social inequities, diminishes the economic potential of land resources, and undermines the social function of land. These conditions highlight the importance of examining regulatory compliance and the effectiveness of land administration policies in maintaining equitable land use and governance (Kontesa & Fernando, 2024).

Previous studies have focused on the legal criteria for land abandonment, procedural enforcement, or the role of local governments in specific regions, but few have systematically analyzed the effectiveness of recent regulations in providing both efficient enforcement and legal protection to landholders. There is limited research on PP No. 48/2025 in practice, which introduces



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faster enforcement timelines and more comprehensive mechanisms for objections, notifications, and data verification. The current study addresses this gap by empirically examining the implementation of abandoned land control in Badung Regency and evaluating whether legal protections for rights holders are upheld (Erwin & Dimyati, 2019).

The research also emphasizes the relevance of governance and auditing in the context of land management. Proper enforcement of abandoned land regulations requires coordinated oversight, transparent procedures, and effective monitoring to ensure accountability of public officials and fairness for private landholders. These aspects intersect with principles of public auditing, governance, and compliance, particularly in managing state authority and ensuring that resources are used for public benefit rather than speculative or unproductive purposes. The urgency of this study is reinforced by the strategic importance of land in supporting sustainable economic and social development (Alimuddina et al., 2024; Suartika, 2007). Abandoned land, if not effectively managed, can hinder local development, exacerbate inequality, and weaken public confidence in regulatory institutions. Therefore, examining both the regulatory framework and its implementation provides insights into the balance between state authority and legal protection, ensuring that land policies achieve their intended social and economic objectives while maintaining fairness for landholders (Agustina, 2018; Dewi, 2026).

This research is guided by two key questions: First, how is abandoned land control regulated and implemented in Badung Regency under PP No. 48/2025? Second, how is legal protection ensured for land rights holders throughout the implementation process? Addressing these questions provides a basis for evaluating the effectiveness of recent regulatory reforms, identifying practical challenges in enforcement, and highlighting potential improvements in governance, auditing, and land administration. In contrast to conventional literature reviews, this study presents a state-of-the-art perspective to demonstrate the novelty of the research. It situates the inquiry within current regulatory reforms, recent empirical observations, and practical challenges faced by landholders and authorities in Badung. By doing so, the study highlights both the scientific and practical contribution of assessing the balance between effective land administration and protection of land rights (Chhachhar et al., 2025; Fahmi, 2024; Muntaqo & Pratama, 2024; Riggs et al., 2016).

Overall, this article aims to contribute to the field of legal governance, public administration, and auditing by offering empirical evidence on how abandoned land regulations operate in practice. It underscores the importance of procedural fairness, transparency, and inter-agency coordination in realizing the social function of land. The findings are expected to inform policymakers, auditors, and legal practitioners about the effectiveness, limitations, and potential improvements in implementing PP No. 48/2025, with broader implications for equitable and sustainable land management.

METHODS

This study employed an empirical legal research design to examine the implementation of abandoned land control and the legal protection of land rights holders in Badung Regency, Bali, integrating statutory, case-based, conceptual, and sociological approaches. Primary data were collected through semi-structured interviews with key informants, including officials from the Badung Land Office, BPN Regional Office of Bali Province, and landholders in Desa Pecatu, while secondary data were obtained from government regulations, ministerial decrees, official reports, and previous studies. Using purposive sampling, informants with direct experience in inventory, evaluation, notification, and legal determination processes were selected to ensure relevance and depth of information. The research was conducted at both administrative offices and field sites to



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capture regulatory and practical perspectives. Data were analyzed qualitatively with thematic coding and interpretive analysis to identify procedural gaps, assess regulatory effectiveness, and evaluate the protection of land rights holders, providing insights into governance, accountability, and the social function of land under PP No. 48/2025.

RESULT AND DISCUSSION

The implementation of abandoned land control in Badung Regency is regulated under Government Regulation No. 48/2025, which replaced PP No. 20/2021 to provide clearer guidance on the identification, evaluation, and determination of abandoned land. The regulation specifies that lands under Building Use Rights (HGB), Ownership Rights, Use Rights, Management Rights, and other legal bases that are not utilized within two years may be categorized as abandoned. This reform emphasizes the acceleration of enforcement, reducing the total duration for identifying and regulating abandoned land from 555 days to 90 days, aiming to ensure the land fulfills its social function and contributes to public welfare. Field data collected during the study show that as of 2025, Badung Regency had 754 land plots indicated as potentially abandoned. Of these, only 67 plots were successfully removed from the database, and two plots entered the evaluation stage. This demonstrates a significant gap between the normative regulation and practical implementation. Despite the legal clarity provided by PP No. 48/2025, enforcement remains limited due to administrative, structural, and operational challenges.

Administrative challenges include incomplete cadastral records and outdated land information, which hinder the accurate identification of landholders and their respective rights. This issue is particularly significant for lands under complex ownership arrangements or previously granted under Management Rights (Hak Pengelolaan) and DPAT, where documentation may be ambiguous. Without accurate data, evaluation and notification processes cannot be effectively implemented, leaving many potentially abandoned lands unregulated. Inter-agency coordination is another critical factor affecting implementation. The division of authority among the Land Office, Regional BPN Office, and the Ministry of ATR/BPN is designed to ensure oversight and compliance. However, in practice, overlapping responsibilities, unclear reporting channels, and limited communication among these institutions delay enforcement. Coordination gaps also affect the timely delivery of notifications to landholders, which is a key step in safeguarding procedural fairness.

Interviews with officials reveal that while PP No. 48/2025 mandates notification of evaluation results and provision of objection mechanisms, these procedures are inconsistently applied. Some landholders did not receive timely notifications, while others lacked guidance on how to respond effectively. This raises concerns regarding procedural justice and the protection of rights, aligning with Rawls' theory of fairness, which emphasizes equal opportunity and due process. Time constraints imposed by the accelerated 90-day enforcement timeline pose practical challenges. Although intended to improve efficiency, the shortened timeframe can make it difficult for landholders to manage land, respond to evaluations, or submit objections. In several cases observed in Desa Pecatu, landholders reported that 14-30 days were insufficient to prepare legal or administrative responses, highlighting a tension between administrative efficiency and protection of rights.

The study also found that legal protection mechanisms embedded in PP No. 48/2025, such as objection procedures and negative formulation regarding Ownership Rights, are critical in balancing state authority with landholder rights. These mechanisms provide a formal opportunity for landholders to justify non-use of land due to legitimate reasons, including force majeure, disputes,



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or regulatory constraints, ensuring that enforcement does not arbitrarily deprive individuals of their rights. Comparing the current findings with previous studies (Sudarsa, 2021; Wedanti, 2022; Widyatmojo, 2022) indicates both progress and persistent challenges. Earlier studies focused mainly on normative definitions of abandoned land and general procedural enforcement, but this study provides empirical evidence of actual implementation, revealing gaps in administrative capacity, coordination, and compliance. While PP No. 48/2025 introduces improved procedures and timelines, its effectiveness is highly dependent on institutional readiness and accurate data management.

The research demonstrates that state authority, as conceptualized under the Theory of Authority, is central to implementing abandoned land control. The hierarchical division of responsibilities—Land Office for initial reporting, Regional BPN Office for evaluation, and the Minister for final determination—ensures formal oversight. Nevertheless, the exercise of authority must be accompanied by mechanisms that protect landholders from arbitrary action, maintaining a balance between governance efficiency and legal protection. Applying the Theory of Legal Effectiveness highlights that the success of PP No. 48/2025 depends not only on the legal framework but also on its acceptance and compliance by landholders. Ineffective communication, administrative delays, and insufficient resources reduce compliance, which in turn undermines the regulatory goal of optimizing land use for public welfare. Effective enforcement thus requires simultaneous strengthening of institutional capacity, transparency, and public awareness.

From the perspective of justice theory, the enforcement of abandoned land regulations must maintain fairness in both process and outcome. Procedural fairness is critical when implementing accelerated timelines, ensuring that landholders can participate, be informed, and respond to regulatory actions. Substantive fairness ensures that land is returned to productive use or redistributed equitably, reflecting both social justice and the social function of land mandated by Article 33(3) of the 1945 Constitution and the UUPA. Overall, the findings indicate that PP No. 48/2025 represents a progressive approach to regulating abandoned land in Badung Regency, integrating administrative efficiency with legal protections. However, gaps in practical implementation—such as administrative capacity, inter-agency coordination, and time constraints—limit the full realization of regulatory objectives. Addressing these gaps through updated cadastral data, enhanced coordination, and extended procedural safeguards will improve both the effectiveness of abandoned land control and the protection of land rights holders, supporting equitable and sustainable land governance in the region.

CONCLUSION

This study concludes that the implementation of abandoned land control in Badung Regency under PP No. 48/2025 provides a clearer legal framework and accelerated procedures for regulating land that is unutilized or underutilized. The regulation successfully defines objects of enforcement, incorporates objection mechanisms, and emphasizes transparency through notifications, reflecting a balance between state authority and the protection of land rights holders. These measures demonstrate the government’s commitment to optimizing land use for social, economic, and public welfare purposes. Despite these regulatory improvements, practical implementation still faces significant challenges, including limited administrative capacity, gaps in coordination among land authorities, and constraints imposed by shortened timelines. These challenges highlight the need for strengthened institutional mechanisms and enhanced procedural safeguards to ensure that legal protections are fully realized, and that landholders can effectively respond and comply with the law.

The findings also indicate that enforcing abandoned land regulation must align with principles of procedural and substantive justice. Legal protection mechanisms, such as the provision of objection rights and prior notifications, are essential for maintaining fairness and social legitimacy. The study underscores that balancing efficiency in land administration with legal protection is critical for achieving equitable governance and fulfilling the social function of land. Future research may explore comparative analyses across other regions in Indonesia, examining the long-term impacts of PP No. 48/2025 on land utilization, equity, and sustainable development. Further studies could also investigate the integration of digital land monitoring systems to enhance enforcement efficiency and transparency, providing evidence-based recommendations for policy improvement and governance reform.

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