

JURIDICAL ANALYSIS OF THE PROCEDURE FOR BLOCKING LAND TITLE CERTIFICATES

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ABSTRACT

Blocking land title certificates is a procedural tool to freeze rights during land disputes. Despite frequent disputes in Indonesia, systematic analysis of this blocking mechanism remains lacking. This study addresses that gap by examining the legal basis, procedure, and consequences of certificate blocking under Indonesian law. This normative legal research employs statutory and conceptual approaches, examining primary, secondary, and tertiary legal sources. The study finds that Ministerial Regulation No. 13 of 2017 provides the formal legal basis for blocking. The procedure, governed by Regulation No. 1 of 2010, requires applicants to meet eligibility criteria, submit documentation, and follow a standardized workflow. Private-party blocks remain valid for 30 days, while law enforcement blocks continue until case closure. Blocking carries two primary consequences: (a) suspension of land registration data maintenance, and (b) prohibition of land rights transfer. This research offers explanation of Indonesia's blocking mechanism, clarifying its legal foundations, procedural requirements, and legal effects for academics, practitioners, and rights holders.

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INTRODUCTIONS

Indonesia operates under the rule of law, a constitutional principle embedded in its 1945 Constitution. As the largest country by land area in Southeast Asia and one of the top twenty globally, land constitutes a critical natural resource. It serves not only for dwelling and cultivation but also as the foundation for various economic sectors such as trade, industry, and infrastructure development. The authority tasked with registering and certifying land rights is the National Land Agency (BPN), a government institution responsible for executing land-related activities in adherence to legal regulations (Syarief, 2012). The National Land Agency (BPN), formerly the Agrarian Office, is governed by Presidential Regulation No. 20 of 2015. During President Joko Widodo's tenure, its functions were

consolidated with those of the Directorate General of Spatial Planning to create the Ministry of Agrarian Affairs and Spatial Planning. The legal foundation for land matters is Law No. 5 of 1960 (UUPA), which establishes land registration to ensure legal certainty. Nevertheless, scholar Rusmadi Murad observes that even with this system in place, disputes over land rights persist in communities.

The concept of justice is one of the important foundations in legal philosophy that has been the concern of thinkers from the classical to the modern era. Figures such as Socrates and Francisco Geny view justice as the primary goal of law (Theo, 1995). In the Islamic perspective, justice is also regarded as a fundamental principle aimed at creating social balance and ethical behavior in a harmonious society (Asy'arie, 1994). John Rawls explains the concept of justice as fairness, which emphasizes that justice must guarantee the welfare of all members of society through two main principles, namely the difference principle, which permits inequality as long as it provides benefits for the least advantaged groups, and the principle of fair equality of opportunity, which guarantees equal opportunities for every individual (Rawls, 1971). In addition, the theory of utilitarianism pioneered by Jeremy Bentham emphasizes that law must aim to maximize happiness for as many people as possible, so that the validity and morality of law is assessed by the benefits or happiness it produces for society (Ali, 2010; Erwin, 2011; Pratiwi et al., 2022).

In the context of state administration, the concept of the rule of law places law as the primary basis in the exercise of state power, so that all actions of the government must be based on applicable legal regulations and must not be carried out arbitrarily (Parasong, 2014). This idea has developed since the philosophical thought of Ancient Greece, where Plato affirmed that government based on law is a way to prevent the abuse of power (O'donnell, 2004). In its development, the concept of the rule of law is known in two main traditions, namely *rechtsstaat* in the continental legal system and rule of law in the Anglo-Saxon legal system (Dayanto, 2014). In the Indonesian context, the implementation of the rule of law requires consistent law enforcement, protection of human rights, and the application of Pancasila values as the ideological foundation of the state (Atmasasmita, 2012). Furthermore, in the context of land law, land ownership is proven through a certificate of ownership rights, which constitutes the strongest evidence of ownership as regulated in the Basic Agrarian Law (UUPA No. 5 of 1960), while the definition of agraria encompasses land, water, outer space, and the natural resources contained therein (Harsono, 2003).

While certificates are acknowledged in The Basic Agrarian Law (UUPA), they do not fully ensure legal protection for their holders as regulations allow for other parties to challenge ownership claims (Mahendra & Yustiawan, 2023). This could lead to legal disputes either in civil court or the State Administrative Court (Sutedi, 2023), which results in the blocking of the land title certificate by the land office until there is a court decision that has permanent force. A certificate is a holding of ownership of a land whether it has a building on it or is rice fields or plantations, land is a vital object for someone in carrying out their daily activities on the land such as road construction, house construction, walking and so on. Certificates that exist in Indonesia concerning land, there are many types, from land ownership certificates, use right certificates, building use right certificates, business use right certificates and so on. This indicates that every person who owns land should have and ideally have rights attached to them as the holder of the land. However, there are many problems caused by land, such as problems with problematic buying and selling, land exchange, inheritance and so on (Yuris & Sudiro, 2023). These problems certainly if they cannot be resolved in a good way through family means, then the last way is through law which becomes a problem solver. Problems regarding land occur a lot in Indonesia such as in the city of Malang, the city of Surabaya and other district cities, a problem regarding land will arise if one party or many parties consider themselves more deserving of the land and the other is not deserving of the land, therefore many people apply for blocking of land that is felt to still have problems.

Despite the prevalence of land disputes and the frequent use of blocking mechanisms, a significant research gap exists in understanding this administrative action. While global land registration systems aim to provide legal certainty, recent scholarship indicates persistent gaps between formal titling and actual protection against disputes. Research by Li et al. (2024) analyzing land dispute resolution in China demonstrates that even with systematic registration, administrative mechanisms for temporarily suspending land rights during conflicts remain underdeveloped, leading to fraudulent transfers and prolonged litigation. Studies on Vietnam's land governance by

Phuong et al. (2024) reveal that administrative procedures for handling post-registration disputes lack standardization, creating legal uncertainty for certificate holders. Comparative research by Kocur-Bera & Frąszczak (2021) on cadastral data management in Poland indicates that inconsistencies in land administration systems frequently lead to disputes requiring temporary administrative interventions, yet the legal frameworks for such suspensions vary significantly across jurisdictions. Cienciała et al. (2021) examine how cadastral data credibility issues in Europe necessitate temporary administrative freezes, yet comparative analysis of procedural safeguards remains limited, particularly in developing nations. While international scholarship highlights diverse approaches to provisional asset protection, Indonesia's unique blocking mechanism has yet to be examined in depth. As Yustini (2023) observes in her analysis of Indonesian land dispute arrangements, the balance between administrative efficiency and rights protection in blocking procedures requires further examination against international standards of good land governance.

The legal basis for blocking a land title certificate is found in Ministerial Regulation No. 13 of 2017 (Article 3, Paragraph 1), which authorizes such action in cases of legal acts, legal events, or land disputes. This framework is designed to standardize procedures and ensure administrative consistency. Operationally, blocking is an administrative measure that imposes a temporary *status quo* ("freeze") on land rights. Research at the Deli Serdang Regency Land Office indicates a manual process: the Control and Dispute Handling Section conducts an assessment within three working days, after which the outcome is formally communicated to the applicant. The primary legal effect is the temporary suspension of all data maintenance for the affected land registration.

According to article 3 of PERMEN ATR/BPN No.13 of 2017, one justification for blocking is due to land disputes or conflicts, which are closely linked to the concept of the Unitary State of the Republic of Indonesia as outlined in Article 1 Paragraph 33 of the 1945 Constitution. Therefore, any disputes must be settled in accordance with the relevant laws to ensure fairness in society and uphold democratic principles. Land blocking serves as a protective measure to prevent any alterations to the land title certificate by the land office until a final ruling is issued by the Court. Put simply, the land cannot be sold or exploited by others. To ensure proper management of land, activities such as blocking records, confiscation, and resolving disputes related to land ownership must be conducted through recording in land books and measurement certificates. This study addresses the identified research gap by examining the legal framework and procedural implementation of certificate blocking in Indonesia, thereby contributing to understanding of how land administrations manage the interface between registration certainty and dispute resolution. Specifically, this study seeks to examine the legal basis, procedure, and legal consequences of blocking land ownership certificates under Indonesian law.

METHODS

This study employs normative juridical research, a method that examines legal norms through the logic of legal science from a normative perspective. The primary focus is dogmatic legal research, analyzing existing positive legal rules found in laws, regulations, legal doctrines, and theories. Two main approaches are utilized: the statutory approach, which examines relevant laws and regulations, and the conceptual approach, which analyzes legal concepts, principles, and doctrines that have evolved in legal scholarship. These approaches provide a thorough framework for investigating the legal aspects of blocking land ownership certificates.

This normative legal research relies on secondary data organized into three categories of legal sources. Primary legal materials comprise authoritative and binding documents, including the 1945 Constitution, the Civil Code (KUH Perdata), Government Regulation No. 13 of 2017, Government Regulation No. 24 of 1997, and Government Regulation No. 18 of 2021. Secondary legal materials consist of academic texts, theses, dissertations, reports, and scholarly publications pertinent to the research focus. Tertiary materials, such as Black's Law Dictionary and the Indonesian Dictionary, provide supplementary guidance and clarification. Legal materials are gathered through library research, involving systematic searching, collection, and organization of these documentary sources.

Legal material analysis employs qualitative techniques conducted after all sources have been collected. The analysis begins with structuring, describing, and systematizing the legal materials. Subsequently, materials are

analyzed from an analytical perspective to construct legal arguments regarding the research findings. These arguments assess legal correctness and determine appropriate legal outcomes concerning the studied legal phenomena. The findings are systematically connected with applicable legal principles and ideas, producing structured and coherent legal arguments that summarize the examined laws and rules.

RESULTS AND DISCUSSION

Legal basis for blocking land ownership certificates

In legal contexts, a “basis” constitutes the rationale and justification for action, serving as the footing for subsequent steps. As defined by the Indonesian Dictionary, it is a foundation. This study analyzes the specific grounds and reasons that compel a party to block a land ownership certificate. The definitive legal foundation for this administrative action is provided by Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 13 of 2017 on Procedures for Blocking and Seizure. As an administrative act, blocking registration is imposed by the head of the land office or a designated official to temporarily freeze land rights in the face of legal acts or events. This action is grounded in specific reasons and aims, as outlined in the ministerial regulation, which directs the agrarian ministry, its regional bodies, and land offices in managing block records and addressing land disputes or seizure cases.

The purpose of the ministerial regulation is to establish consistency, standardization, and procedural clarity in managing block and seizure records arising from land-related disputes. From the perspective of utilitarianism theory, the existence of a land certificate blocking mechanism can also be understood as a legal policy aimed at providing greater benefits to society. With the existence of blocking, the potential for the transfer of land rights that are still in dispute can be prevented, thereby avoiding the emergence of more complex legal conflicts in the future. If land that is being disputed is still allowed to be transferred to another party, this can cause harm not only to the disputing parties, but also to third parties involved in the transaction. Therefore, blocking can be viewed as a preventive measure that provides broader benefits for legal certainty in land administration.

In accordance with paragraph 1, blocking registration is permissible only when: (a) intended to legally protect interests in the land; (b) submitted no more than once by the same applicant for the same land; and (c) grounded in legal acts, events, or active land disputes or conflicts. The reasons why applicants apply for blocking of land rights are caused by many influencing factors such as land disputes or conflicts, legal acts or legal events, lost certificates, land encroachment, debt disputes, distribution of inheritance, investigation by the police, seizure by the state receivables commission, distribution of joint marital property, and rights holders acting in bad faith. From these many reasons that underlie a person’s application for blocking of land.

The many reasons underlying requests for blocking indicate that this mechanism has an important function in the land administration system. Blocking does not only function as an administrative action, but also as a form of preventive legal protection to prevent the transfer of land rights that are still in a state of dispute or legal uncertainty. With the existence of blocking, the legal status of land can be temporarily maintained until the dispute or problem that has occurred obtains resolution through the applicable legal mechanism.

Procedure for Blocking Land Ownership Certificates

As we know together, that a certificate is a valid proof mark owned by someone in proving land or buildings standing on it is their property as stated in the land ownership certificate. Someone who wants to issue a certificate has the intention that the certificate is used as a holding of land rights and easily proves their rights if problems occur, therefore the certificate is evidence or documentary evidence that has strong or full power. However, if a problem occurs, one or more parties feel they have rights to the land, then if it cannot be resolved through family means, they can submit to the authorized court.

The Land Legal Relations Section Head is responsible for overseeing certificate blocking activities carried out by the Land Rights Data Maintenance and PPAT Guidance Sub-section. The role of land office officials in the blocking process indicates that this mechanism is part of the state administrative function in the field of land affairs. The land office does not only function as an institution that records land rights, but also has an important role in maintaining

order in land administration and preventing the emergence of broader legal conflicts. Therefore, every request for blocking must be examined carefully to ensure that the request truly has a clear legal basis.

According to the Regulation of the Head of the National Land Agency Number 1 of 2010, this process must adhere to the Service Standards and Land Regulation/SPOPP.

- 1) Blocking Requirements
 - a. Application form that has been filled in accompanied by blocking reasons and/or copy of lawsuit letter and signed by the applicant or their proxy on sufficient stamp duty.
 - b. Power of attorney if authorized.
 - c. Photocopy of applicant's identity (ID card, family card) and proxy if authorized, which has been matched with the original by counter staff.
 - d. Photocopy of establishment deed and legalization of legal entity that has been matched with the original by counter staff, legal entity section. Supporting documents for blocking (court request and/or law enforcement apparatus request, individuals or legal entities showing proof of ownership in the form of original certificates and/or other proof of ownership).
- 2) Costs

Under the guidelines set forth by the government regulations, the national land agency of Indonesia must adhere to specific types and rates of non-tax state revenue (Khotimah et al., 2024).
- 3) Application form contains:
 - a. Personal identity
 - b. Area, location and use of land requested
 - c. Blocking reasons are recorded in black ink, initialed and dated.
- 4) Flow or path of certificate blocking.

Blocking of certificates is carried out by one or more applicants either accompanied by their proxy or alone by submitting applications accompanied by sufficient evidence and submitted to the service counter in charge of it, after which the application documents will be examined by officers for physical completeness. After verifying the documents and ensuring all physical paperwork is in order, the officer will issue a document receipt (STTD) and provide a deposit directive (SPS) for the applicant to submit to the Bank affiliated with the land agency. Conversely, if the documents are incomplete or lacking, the officer will return them to the applicant to complete the documents.

If the applicant has received STTD and SPS, the applicant will make an administrative payment to the designated bank, and if completed, then a re-examination will be carried out for blocking registration by the implementing officer of the land rights data maintenance section and PPAT guidance. After blocking registration is carried out, the documents are returned to the applicant through the delivery counter.

In accordance with Article 126 of PMA/KBPN 3 of 1997, interested parties can apply to have land or apartment unit rights noted in the land book as subjects of court litigation by providing copies of the lawsuit. The notation is automatically deleted after 30 days, or earlier if withdrawn. If the timeframe lapses without resolution and the same party re-applies for the same reason, the land office will reject the request unless accompanied by evidence that the matter is formally registered as a case in court.

Blocks can be requested by parties whose interests are impacted by a land book entry. The provisions that allow parties with legal interests to submit a blocking request indicate that land law seeks to create a balance between protection for certificate holders and protection for other parties who feel aggrieved. On one hand, the certificate holder has strong rights over the land they own, however on the other hand the law also provides room for other parties to protect their legal interests if there are indications of a dispute or violation of rights. Therefore, the blocking mechanism can be understood as an effort to maintain a balance of interests among the parties in land law relations.

Such blocks are filed at the relevant district or city land office and remain valid for 30 days, after which they expire automatically unless followed by a seizure and the submission of an execution report. The head of the land office may also record a seizure at the request of law enforcement or auction authorities. Seizure records in land books

and registers can only be removed after a case is closed or a final court decision is issued, as evidenced by an official order to lift the seizure and a certified copy of the court's execution report.

The National Land Agency (BPN) is mandated to carry out governmental duties in land affairs under existing laws and regulations. This includes the authority to block land title certificates. In its implementation, the land office adheres strictly to the law, and does not approve every blocking application. From the perspective of the rule of law theory, the authority of the National Land Agency to carry out land certificate blocking constitutes a form of administrative power exercise that must be based on law. In a rule of law state, every government action must not be carried out arbitrarily, but must have a clear basis of authority and follow the procedures that have been determined in legislation. Therefore, the regulation concerning land certificate blocking in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of BPN Number 13 of 2017 becomes important to ensure that blocking actions are carried out legally, transparently, and accountably. Thus, the blocking mechanism does not only function as an administrative instrument, but also as a form of application of the rule of law principle in the land administration system.

Registration of a block requires full compliance with all conditions set forth in the SPOPP, which are regulated as follows.

1) Applicants entitled to apply for land certificate blocking

According to Regulation No. 13 of 2017 from the Minister of Agrarian Affairs and Spatial Planning, registration applications for blocking can be submitted by individuals, companies, or authorities. To qualify, individuals or companies must have a legitimate connection to the land being blocked and provide detailed reasons along with consent for the application to be reviewed. Applicants who meet this legal relationship criterion are:

- a. Land owners, both individuals and legal entities
- b. Parties in agreements either notarial or under hand or joint ownership not in marriage
- c. Heirs of joint property ownership in marriage
- d. Agreement makers either notarial or under hand based on power of attorney, or
- e. Banks, in cases included in notarial deeds of the parties.

2) Requirements for blocking application for individuals or legal entities

- a. The application form includes a statement indicating that the registration block will be removed if the designated time frame has elapsed.
- b. Photocopy of applicant's or their proxy's identity and original power of attorney if authorized
- c. Photocopy of legal entity establishment deed
- d. Information regarding the rights holder's name, type of rights, number, area and location of land requested for blocking
- e. Proof of deposit of non-tax state revenue regarding blocking registration
- f. Proof of the applicant's legal relationship with the land, such as: (1) Lawsuit documents (letter and case number) or a state administrative court suspension order for court-related blocks. (2) Marriage, family, or inheritance documents (certificate, family card, or court decision) for marital/inheritance disputes. (3) A relevant court decision or notarized agreement (sale, loan, exchange) for blocks based on legal acts.
- g. Other requirements in accordance with the provisions of laws and regulations.

3) Requirements for blocking application for law enforcers

- a. Application form
- b. Investigation order letter
- c. Blocking request letter from law enforcement agencies accompanied by reasons for the blocking application with clear information including: (1) Name of rights holder (2) Type and number of rights (3) Area and location of land (4) Other requirements in accordance with the provisions of laws and regulations

4) Blocking Recording Procedure

- a. If the assessment results accept the recording application, the Head of the Land Office or appointed official conducts blocking recording

- b. If the evaluation findings are negative for the registration request, the director of the land office will send a formal letter to the applicant and/or relevant parties explaining the reasons for denial.
- c. Recording can be prevented either through manual means or through electronic methods.
- d. The act of preventing recording is executed by either the land office leader or a designated official in the appropriate land record and measurement document.
- e. Blocking recording contains at least information regarding time (hour, minute and second) and date of recording, subject submitting the application and reason for application.
- f. Blocking recording as referred to is carried out by recording the blocking record description according to the format which reads: "on date... and hour... minute... second... blocking has been recorded based on the application of Mr./Mrs. (in this case the applicant's name) with reason..." / "on date... and hour... minute... second... blocking has been recorded based on order... with reason..." / "on date... and hour... minute... second... blocking has been recorded based on consideration..." a) Land book writing, in the column of recording registration of rights transfer, encumbrance and other recordings and b) Measurement certificate, on the measurement certificate drawing sheet still available
- g. If there is no available space on the measurement certificate to document the blocking, the blocking documentation will be done on a separate sheet of paper and attached to the appropriate measurement certificate.
- h. Blocking recording is validated by being signed by the official conducting the recording and stamped with the land office stamp
- i. Once the recording is completed, validation of the blocking is confirmed according to the specifications outlined in paragraph 4. The head of the land office or a designated official responsible for agrarian legal matters communicates the validation through written correspondence to the applicant requesting the blocking and/or relevant parties.

5) Blocking Period

A blocking entry remains valid based on who initiated it:

- a. Individuals/entities: 30 calendar days from the blocking date; extension requires a court order.
- b. Law enforcement: Until the criminal case is closed or the investigator cancels the block. The land office head may inquire about the case status with the investigator.

The limitation on the validity period of blocking also indicates that the law seeks to maintain a balance between the protection of the legal interests of the parties and the protection of the rights of certificate holders. With the existence of a blocking time limit, this mechanism is not intended to permanently restrict land rights, but only as a temporary measure until the underlying legal problem obtains resolution. This is important to maintain legal certainty and to prevent abuse of the blocking mechanism by parties who do not have strong legal interests.

6) Blocking Deletion Procedure

Deletion of a block registered by a private party or legal entity is permitted when: (a) the validity period has lapsed without renewal, (b) the applicant revokes the request prior to expiry, (c) the land office head removes the block earlier, or (d) a legally enforceable court order is presented. Deletion of a block is executed by the head of the land office or an authorized official, documented in the pertinent land book and measurement certificate. The deletion must contain key details: the precise time and date of the original entry, the applicant's identity, and the justification for deletion. Procedures for recording blocks also govern their deletion, with required adaptations. Formal written notification is then provided to the blocking applicant and involved parties through an official letter.

Legal Consequences of Blocking Land Ownership

Individuals or legal entities cannot carry out land registration data maintenance

The registration block on a land certificate suspends the holder's capacity to maintain its data. This aligns with the definition in PP No. 24 of 1997, where land registration entails updating both physical details (e.g., plot separation or consolidation) and juridical status (e.g., new encumbrances or ownership transfers) in all relevant documents.

Despite the legal obligation to report changes to the national land office, such updates are inadmissible during the block (Nurasa & Mujiburohman, 2020).

- 1) Land registration data maintenance activities are divided into several, as follows:
 - a. Registration of rights transfer and encumbrance consists of;
 - b. Rights transfer
 - c. Rights transfer and auction
 - d. Rights transfer due to inheritance
 - e. Rights transfer due to merger or fusion of companies or cooperatives
 - f. Rights encumbrance
 - g. Rejection of registration of rights transfer and other encumbrance (Nurasa & Mujiburohman, 2020).
- 2) Registration of land registration data changes, consists of:
 - a. Extension of land rights period
 - b. Division, separation and merger of land plots
 - c. Division of joint rights
 - d. Deletion of land rights and ownership rights to flat units
 - e. Transfer and deletion of mortgage rights
 - f. Land registration data changes based on court decisions or determinations
 - g. Name changes (Nurasa & Mujiburohman, 2020)
- 3) According to Santoso (2010), juridical data changes can occur due to several rights, as follows:
 - a. Rights transfer due to sale and purchase, exchange, grant, incorporation into companies and other legal acts of rights transfer
 - b. Rights transfer due to inheritance
 - c. Rights transfer due to merger or fusion of companies or cooperatives
 - d. Mortgage rights encumbrance
 - e. Mortgage rights transfer
 - f. Deletion of land rights, management rights, ownership rights to flat units and mortgage rights
 - g. Division of joint rights
 - h. Land registration data changes based on court decisions or determinations of the court chairman
 - i. Name changes as a result of rights holders changing names
 - j. Extension of land rights period
- 4) According to Santoso (2010), physical data changes can occur due to:
 - a. Land plot division
 - b. Separation of part or several parts from land plots
 - c. Merger of two or more land plots

The legal effect of a blocking status is the temporary suspension of land registration data maintenance for the certificate holder. This suspension is institutional, as the National Land Agency (BPN) is legally barred from performing this function. As stipulated in Article 3(3) of Regulation No. 13 of 2017, land rights with a blocking record in the land book are ineligible for registration maintenance.

When analyzed through the theory of justice proposed by John Rawls, land certificate blocking can be understood as a mechanism aimed at maintaining a balance of interests among the parties involved in a dispute. In the concept of justice as fairness, Rawls emphasizes that legal institutions must regulate rights and obligations fairly so as not to cause harm to parties who have legitimate interests. Land certificate blocking prevents certificate holders from carrying out the transfer or encumbrance of land rights while the dispute is still ongoing, thereby providing a fair opportunity for other parties who claim rights over the land to obtain legal resolution. Thus, blocking functions as an instrument to maintain justice in land law relations.

Land Rights being Blocked cannot be transferred

The second legal consequence when the blocking status appears on the blocked land title certificate is that the land title certificate holder cannot make a transfer. Land registration data maintenance includes the transfer of rights, a process regulated since PP No. 10 of 1961 and revised under PP No. 24 of 1997. According to Article 37, such transfers (excluding those by auction) must be formalized by the parties before a PPAT, the official authorized to draw up the necessary deed. PPAT deeds serve as a key component in maintaining land registration data. It is essential that these deeds are carefully crafted to provide a solid legal foundation for the registration, transfer, and encumbrance of rights related to the property. As outlined in the ministerial regulation No. 3 of 1997, PPAT holds the responsibility of verifying the legality of the relevant legal actions, ensuring that the information on the certificate aligns with the records at the land office (Harsono, 2007).

Land registration produces a certificate as its legal proof of rights. In the land registration system, a certificate constitutes strong evidence regarding ownership of land rights. Therefore, the existence of a blocking mechanism becomes important to maintain the accuracy and certainty of data in the land registration system. Blocking prevents changes to juridical or physical data regarding land that is still in a state of dispute, so as not to cause inconsistencies between the legal facts that occur and the data recorded in land administration.

This document replicates the land book and is supplemented by a measurement certificate, detailing both physical and legal information. The law presumes this information to be correct, placing the burden of proof on any challenger. Consequently, any party whose interests are prejudiced by the certificate may initiate legal proceedings (Ghazali, 2013). Therefore, if individuals or organizations believe their interests are being affected, they have the ability to prevent the issuance of a land title certificate by providing proof to the nearby land bureau.

The legal issues typically emerge when a party raises concerns and requests regarding land rights and the status of the land. Certificate blocking incidents occur frequently when PPAT officials are about to draft deeds for transferring land rights, encumbering land rights, or granting power of attorney for mortgage rights. This usually takes place before the deed is finalized and signed.

It is established that a PPAT cannot lawfully create a transfer deed for land under a block. Any deed made in violation of this condition is subject to annulment. This is based on Article 39(1)(f) of PP No. 24 of 1997, which voids legal acts involving disputed physical or juridical data. Additionally, under Article 45, the land office head may refuse to register a transfer if prerequisites are not met, such as the presence of a block.

- a. The certificate or document related to the land ownership status no longer aligns with the records maintained at the office for land deeds.
- b. The legal act of land rights transfer is not proven by a PPAT deed or auction minutes excerpt (for auction)
- c. Documents required for registration of transfer or encumbrance of the relevant rights are incomplete
- d. Other statutory or regulatory prerequisites are not satisfied
- e. The land in question is currently the object of a court dispute
- f. The transaction documented by the PPAT deed is invalid or has been nullified by a final court ruling
- g. The parties have canceled the transfer agreement prior to its official registration

If land rights held as collateral are blocked, a PPAT is barred from executing a deed. This is mandated by Article 39 of PP No. 24 of 1997, which prohibits deed-making when the original certificate is not submitted or the object is under a block. A PPAT can verify this by conducting a clearance check at the BPN.

Although the land certificate blocking mechanism has the purpose of protecting the legal interests of the parties and maintaining legal certainty in land administration, in practice this mechanism also has the potential to cause problems. Blocking can temporarily restrict the rights of certificate holders to carry out legal actions regarding their land. If a blocking request is submitted without a strong legal basis, this can cause injustice to land rights holders. Therefore, the land office needs to carry out careful verification of every blocking request so that this mechanism truly functions as a legal protection instrument and is not misused to obstruct legitimate land transactions.

CONCLUSION

This study concludes three main findings regarding the blocking of land ownership certificates in Indonesia. First, the legal basis for blocking is formally established in Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 13 of 2017 concerning Procedures for Blocking and Seizure. This regulation authorizes the head of the land office to impose a temporary administrative freeze on land rights in response to legal acts, legal events, or land disputes, thereby providing a structured legal foundation for this protective measure. Second, the blocking procedure is governed by Head of the National Land Agency Regulation Number 1 of 2010, which establishes comprehensive service standards. The procedure requires applicants to meet specific eligibility criteria, submit complete documentation including proof of legal relationship with the land, pay applicable fees, and follow a standardized workflow from application submission through verification to blocking registration. Blocks initiated by individuals or entities remain valid for 30 calendar days, while law enforcement blocks continue until case closure. Third, blocking carries two primary legal consequences: (a) individuals or legal entities cannot carry out land registration data maintenance, including updates to physical and juridical data; and (b) land rights that are blocked cannot be transferred, as PPAT officials are prohibited from creating transfer deeds for blocked land. These consequences temporarily preserve the status quo, protecting the interests of parties claiming rights to the land pending definitive judicial determination, while preventing unlawful transfers that could cause irreversible harm.

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