

Tinjauan yuridis konsep kepentingan umum dan dasar penghitungan ganti rugi dalam proses pengadaan tanah untuk kepentingan pembangunan

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Abstrak

The State control of the land does not mean that the State owns the land, but rather the State regulate land use through the development of which is directed to achieve prosperity for all citizens. Land acquisition for development is one way to increase prosperity for the people, but the available land is extremely limited. Government policies as legal foundation to acquire the land has not been effective and no longer appropriate to solve the problem for the implementation of land acquisition for development. These problems include the concept of public interest and the basic for calculating compensation in land acquisition process for development. The concept of public interest must clearly type that devoted to the interests of the people and the market value of land should be the basic for calculating damages in the process of land acquisition for development. It is time our country has a higher legal foundation for regulating the provision of land for development to improve people's welfare. The author recommends that these issues be taken into consideration in the process of the Draft Law on Land Acquisition for Development Interest.