

ABSTRAK

Pengadaan tanah untuk pembangunan Tol Batang-Semarang termasuk pengadaan tanah untuk kepentingan umum karena adanya kepentingan bangsa, negara, dan masyarakat. Pemberian ganti kerugian dalam proyek pembangunan ini adalah hal yang penting dan berdasarkan Undang-undang nomor 2 tahun 2012 ganti kerugian harus dilakukan secara layak dan adil untuk mewujudkan penghormatan kepada hak-hak dan kepentingan perseorangan yang telah dikorbankan. Kriteria layak dan adil masih belum diatur dalam peraturan secara jelas. Oleh karena itu dilakukan penelitian kelayakan ganti kerugian dalam proyek pembangunan Jalan Tol Batang-Semarang.

Penelitian ini **bertujuan** mencari kriteria layak dan adil berdasarkan bahan hukum sekunder untuk selanjutnya dilakukan analisis empiris pemberian ganti kerugian di Desa Ponowareng Kecamatan Tulis Kabupaten Batang dengan melibatkan lima warga penerima ganti kerugian dengan memperhatikan aspek Fisik dan non Fisik dari objek.

Dari hasil penelitian kriteria kelayakan ganti kerugian dalam pengadaan tanah untuk kepentingan umum di Desa Ponowareng dilakukan dengan memberikan ganti kerugian fisik dan ganti kerugian non fisik sesuai SPI 306 dan dalam proyek pembangunan Jalan Tol Batang-Semarang di Desa Ponowareng tidak sepenuhnya layak dikarenakan pada aspek ganti kerugian non fisik objek belum terpenuhi seluruhnya, yaitu karena mengakibatkan penurunan kesejahteraan hidup warga yang terkena pengadaan tanah serta terhadap sisa tanah yang tidak bisa dimanfaatkan lagi sebagaimana fungsinya tidak diberikan ganti kerugian.

Kata Kunci : *Pengadaan Tanah, Ganti Kerugian, Layak, Aspek non Fisik*

ABSTRACT

Land acquisition for the construction of the Batang-Semarang Toll Road includes the acquisition of land in the public interest because of the interests of the nation, state and community. Giving compensation in this development project is important and based on Law number 2 of 2012 compensation must be done properly and fairly to realize respect for the rights and interests of individuals who have been sacrificed. However, decent and fair criteria have not yet been clearly regulated. Therefore, it is necessary to conduct a feasibility study of compensation in the Batang-Semarang Toll Road construction project.

In this study, looking for reasonable and fair criteria based on secondary legal materials, then empirical analysis of compensation in Ponowareng Village, Batang Subdistrict District, involving five recipient residents by paying attention to the physical and non-physical aspects of the object.

From the results of the study the eligibility criteria for compensation in the acquisition of land for public use in Ponowareng Village are carried out by providing physical compensation and non-physical compensation in accordance with SPI 306 and in the Batang-Semarang Toll Road construction project in Ponowareng Village is not fully feasible due to the compensation aspect non physical object has not been fully fulfilled, namely because it causes a decrease in the welfare of the citizens affected by land acquisition as well as the rest of the land that cannot be utilized anymore as its function is not compensated.

Keywords : *Land Procurement, Compensation, Fair, Fair, Physical Aspects, Non Physical Aspects*