

The Mechanism of Land Title Certificate Revocation: Between Administrative Authority and Judicial Decisions

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ABSTRACT – This research discusses the cancellation of land rights certificates as a product of state administrative decisions based on laws and regulations in the land sector. The main focus of the research is to analyze the juridical basis for the cancellation of certificates, the administrative mechanism of cancellation, the authority of the State Administrative Court in cancellation disputes, as well as the legal consequences and administrative responsibility for the cancellation of certificates. This normative legal research uses statutory, conceptual, and case approaches with primary and secondary legal materials analyzed qualitatively through grammatical and systematic interpretation. The results of the research indicate that the parameters of administrative and juridical defects in implementing regulations still give rise to differing interpretations and legal uncertainty. The administrative mechanism of cancellation involves a complex procedure with an imperative five-year time limit. The State Administrative Court has the authority to adjudicate cancellation disputes, but its decisions require further administrative actions. The National Land Agency bears administrative responsibility and potential civil liability for errors in certificate issuance. This research recommends the refinement of cancellation parameters and the strengthening of control mechanisms.

Keywords: certificate cancellation, state administrative decision, administrative defect, State Administrative Court, administrative responsibility.

A. INTRODUCTION

Land holds a special position in human life because it serves as the foundation for a wide range of economic, social, and cultural activities. Land ownership patterns often differ between urban and rural settings,

shaping distinct paths of social mobility for the people who depend on them (Amri & Khayru, 2021), and for indigenous groups land also carries cultural meaning that endures even as urban life modernizes (Amri & Khayru, 2022). Certainty over land ownership status is an absolute prerequisite for social order and a healthy investment climate. Land rights certificates are issued by the state as valid proof of ownership and provide legal protection for rights holders. Issuing a certificate is a concrete expression of the public service function in the land sector carried out by the National Land Agency (BPN) as the authorized institution. In practice, however, certificate issuance does not always follow the correct procedure and may contain administrative or juridical defects that require cancellation as a way of resolving land disputes (Putra, 2026). Certificate cancellation is therefore an important instrument within the land law system for restoring the proper state of affairs and delivering justice to aggrieved parties.

A certificate issued by the state should reflect the true ownership status of the land, free from procedural errors or substantive mistakes that could harm other parties. The issuance process should be carried out carefully and precisely, through a standardized set of procedures that ensures the registered land right is genuinely valid and does not overlap with another party's right. When an error occurs in issuing a certificate, a cancellation mechanism should be readily available to the aggrieved party without creating even greater losses (Noor et al., 2025). An ideal cancellation system also guarantees that a certificate holder acting in good faith, who has genuinely occupied and used the land, receives adequate legal protection against the possibility of unilateral cancellation by an administrative official.

Cancelling a land certificate often becomes a source of prolonged conflict that harms multiple parties, both the certificate holder and anyone who believes they hold a right to the same land. Unclear procedures and cancellation parameters create legal uncertainty and differing interpretations among land officials, judges, and the public. Cancellation is necessary to correct errors and uphold justice, yet when carried out unilaterally, outside a judicial process, it can produce a new form of injustice. A limited understanding of the time limit for filing objections and of an official's authority to cancel a certificate frequently leaves certificate holders in a vulnerable position (Harahap & Harahap, 2024). This kind of legal uncertainty tends to widen social inequality, since land disputes usually fall hardest on the most vulnerable groups and make it harder to sustain social cohesion within a shared area (Mardikaningsih, 2021). The gap between the expectation of legal certainty and the reality of cancellation practice calls for an in-depth analysis of the legal basis, mechanism, and legal consequences of land certificate cancellation.

A land rights certificate issued by the National Land Agency constitutes a state administrative decision with legal consequences for the rights holder and other interested parties. A certificate may be cancelled where administrative or juridical defects are found in its issuance, though the parameters defining such defects still produce differing interpretations among land officials and law enforcement officers. The principle of *contrarius actus*, which grants the official who issued a decision the authority to cancel it, is not absolute either; it must take into account time limits and protection for parties acting in good faith. A comparable accountability logic applies to notaries who also serve as land deed officials: their actions can only be examined in criminal proceedings after approval from the Notary Honorary Council, an exception carved out from their standard duty of confidentiality (Roberto et al., 2026). The basic question that arises is how to define the limits of an administrative official's authority to cancel a certificate, and how to balance the interest of law enforcement with protection for the rights of legitimate certificate holders.

The cancellation procedure set out in the ministerial regulation includes several stages: case assessment, initial review, investigation,

presentation of findings, coordination meetings, and a final review which demand considerable time and coordination. The five-year time limit for administrative cancellation raises questions about legal certainty and protection for a party who only discovers a defect in the certificate after that period has passed. Notifying the rights holder before cancellation reflects the principle of *audi et alteram partem*, yet in practice such notification often fails to reach the holder or goes unanswered. Reshaping these layered procedures along the more flexible, digitally driven patterns now reconfiguring administrative work could shorten the process and make notification easier to deliver and confirm (Mardikaningsih, 2025). A multi-layered, complex mechanism risks making certificate cancellation slow and inefficient, harming parties who need a swift resolution to their land dispute.

The State Administrative Court (PTUN) has the authority to adjudicate disputes arising from the issuance or cancellation of a certificate as a state administrative decision, though not all parties understand the procedure for filing a claim or the evidence required. A PTUN ruling that cancels a certificate is not self-executing; it requires further administrative action from the National Land Agency to carry it out. A ruling of this kind can only take effect where BPN and the court maintain clear, consistent communication about who is responsible for acting and when, since sustained coordination across institutional lines determines whether a decision is genuinely implemented (Gardi et al., 2021). Uncertainty about the obligation to implement PTUN rulings often means court decisions are not properly carried out, forcing the winning party to pursue additional legal remedies. This raises the question of how to ensure PTUN rulings are effective in certificate cancellation disputes, and how to guarantee that such rulings are actually implemented by the authorized administrative officials.

Certificate cancellation carries far-reaching legal consequences: it does not merely extinguish ownership of the land but also affects the owner's ability to transfer rights over that land in the future. The National Land Agency, as the institution that issues certificates, bears responsibility for errors or negligence in the issuance process, yet the compensation mechanism for parties harmed by an unlawful cancellation remains unclear. BPN's administrative responsibility is not

limited to implementing court rulings; it also includes an obligation to protect and restore the rights of parties harmed by administrative error. Clarity regarding the legal consequences and administrative responsibility for certificate cancellation is essential to providing equal legal protection to everyone involved in a land dispute.

Based on the description of these problems, this study aims to analyze the juridical basis for the cancellation of land rights certificates as a product of state administrative decisions as well as the parameters of administrative and juridical defects that serve as the basis for cancellation. This study also aims to examine the administrative mechanism for the cancellation of land rights certificates, including the procedures that must be followed and the time limit for submitting a cancellation. Furthermore, this study aims to analyze the authority of the State Administrative Court in land rights certificate cancellation disputes, as well as the mechanism for filing lawsuits and implementing court decisions. The final objective of this study is to analyze the legal consequences and administrative responsibility for the cancellation of land rights certificates, as well as to formulate recommendations to enhance legal certainty and the protection of the rights of interested parties.

B. METHOD

This research is a normative legal study focusing on the examination of written legal norms governing the cancellation of land rights certificates as a product of state administrative decisions. The sources of legal materials used consist of primary legal materials, which include Law Number 5 of 1986 concerning the State Administrative Court along with its amendments, Government Regulation Number 24 of 1997 concerning Land Registration, Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Apartment Units, and Land Registration, as well as Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020 concerning the Handling and Resolution of Land Cases. Secondary legal materials used encompass state administrative law and land law literature, scientific journals, articles in legal journals, and prior research results discussing the cancellation of land rights certificates and land disputes. The collection of legal materials was conducted through library

research by tracing various relevant written legal sources originating from both physical libraries and electronic databases possessing academic credibility.

The approaches used in this research are the statutory approach, which analyzes in depth the provisions within statutory regulations governing the cancellation of land rights certificates, and the conceptual approach, which examines legal concepts related to state administrative decisions, the principle of *contrarius actus*, and state administrative responsibility. The case approach is also used to examine court decisions relevant to the cancellation of land rights certificates in order to understand the application of law in judicial practice. The analysis of legal materials was conducted using legal interpretation methods, specifically grammatical interpretation to understand the literal meaning of every article and phrase in statutory regulations, as well as systematic interpretation to connect these provisions with the overall applicable legal system (Johansson, 2025). The qualitative analysis method is used to thoroughly examine the legal norms regulating the cancellation of land rights certificates, focusing on the identification of problems, norm vagueness, and the potential for regulatory refinement. The results of the analysis are presented in a descriptive-analytical manner to provide a clear and in-depth overview of the legal basis, mechanisms, judicial authority, and legal consequences of the cancellation of land rights certificates, as well as their implications for legal certainty and the protection of the rights of interested parties.

C. RESULTS AND DISCUSSION

Juridical Basis for the Cancellation of Land Rights Certificates as a Product of State Administrative Decisions

The cancellation of land rights certificates is a form of resolution for land conflicts arising due to administrative defects and/or juridical defects in the decree granting rights or the land rights certificate. According to Article 1 point 14 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020 concerning the Handling and Resolution of Land Cases, what is meant by cancellation is a decision that cancels a legal product due to administrative defects and/or juridical defects in its issuance or to implement a court

decision that has obtained permanent legal force. This provision affirms that the cancellation of land rights certificates can be carried out through two paths, namely the administrative path based on the initiative of the authorized official and the litigation path based on the execution of a court decision that has obtained permanent legal force. A land rights certificate is a state administrative decision whose issuance is subject to the provisions of state administrative law and whose legality can be examined through the State Administrative Court. This is emphasized in Article 1 point 16 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020, that the intended legal product is a legal product of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, the Regional Office of the National Land Agency, and the Land Office in accordance with their authority in issuing decisions as State Administrative officials in the land sector, including land rights certificates.

The causes of the cancellation of a land rights certificate, which constitutes a legal product, are regulated in Article 35 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020. These causes include errors in the process or procedure of issuing land rights, registering rights, and maintaining land registration data; errors in the measurement process or procedure; errors in the process or procedure of issuing replacement certificates; errors in the process or procedure of issuing Mortgage Rights certificates; errors in the application of laws and regulations; errors regarding the subject of rights; errors regarding the object of rights; errors in the type of rights; overlapping land rights; overlap with forest areas; errors in land consolidation determination; errors in the confirmation of land reform objects; errors in the process of granting permits for the transfer of rights; errors in the process of issuing a Cancellation decree; the existence of a final and binding criminal court ruling proving forgery, fraud, embezzlement, and/or other criminal acts; the existence of documents or data used in the certificate issuance process that are not products of the relevant agency, as confirmed by a statement from that agency; and the existence of a court ruling whose legal reasoning proves a defect in the issuance of the

Ministry's legal product and/or a defect in the legal act of transferring rights, even though this is not explicitly stated in the ruling's verdict. The parameters of administrative and juridical defects regulated under Article 35 are limitative in nature, so that cancellation may only take place when one or more of these causes are met. This limitative nature of the provision matters because it allows the legal system to function effectively in protecting the rights of any party potentially affected by an administrative decision (Rizky et al., 2021). The success of a cancellation claim depends on the clarity and validity of the evidence demonstrating irregularities in the registration procedure (Yuliani et al., 2025).

A land rights certificate issued with an administrative or juridical defect may be cancelled either by the applicant of the certificate or by another party who feels aggrieved. With supporting reasons and convincing evidence, the cancellation process may be pursued by requesting cancellation from the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency through the land office, or through a lawsuit before the judicial institution. As affirmed in Article 29 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020, the cancellation of legal products, including land rights certificates, is carried out by the authorized official due to administrative and/or juridical defects, or due to the execution of a court ruling that has obtained final and binding legal force (Kaunang, 2025). This provision opens two avenues of resolution for the aggrieved party: the administrative route through a cancellation request to the authorized official, and the litigation route through a lawsuit before the State Administrative Court. How well officials carry out this administrative process largely depends on the understanding and involvement of the personnel handling the cancellation request, including their readiness to manage an administrative system that increasingly relies on the application of technology (Darmawan, 2023; Darmawan, 2024). The authority of the National Land Agency to unilaterally cancel a certificate is limited to cases where the certificate is still within five years of its issuance.

As with the principle of *Contrarius Actus*, which originates from Latin, this principle

means that the state administrative body or official that issued an administrative decision is also authorized to cancel it. The principle of *Contrarius Actus* is a principle in state administrative law stating that an official authorized to issue a decision is also authorized to revoke or cancel that decision. In practice, for an administrative decision containing an administrative and/or juridical defect, the party entitled to revoke that decision is the official or agency that issued it, while still observing the applicable provisions, unless the law expressly prohibits revocation of that decision (Alshahrani et al., 2024). The purpose of the *Contrarius Actus* principle is to serve as a form of accountability of the state administrative body or official that issued a decision containing an administrative and/or juridical defect, with that accountability fulfilled by issuing a cancellation decision toward the product it had previously issued. This form of accountability essentially reflects the pattern of working relationships within an organization, where consistency and accountability on the part of officials in carrying out their duties help determine the quality of the resulting decisions (Darmawan, 2023). The application of the *Contrarius Actus* principle in the cancellation of land certificates is not absolute and must take into account the time-limit provisions set out in the laws and regulations, particularly the five-year period referred to in Article 32 paragraph (2) of Government Regulation Number 24 of 1997 and Article 64 of Government Regulation Number 18 of 2021. This time-limitation principle is consistent with the idea that a ruling or decision that has obtained final and binding legal force needs to attain certainty so that it cannot continually be contested (Rawi et al., 2026).

Administrative Mechanism for the Cancellation of Land Rights Certificates

The mechanism for canceling certificates based on administrative defects is regulated in Article 6 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020. This mechanism includes case assessment, which is conducted to facilitate the understanding of the handled case and serves as the basis for carrying out an initial case review; initial review, which aims to determine the institutions, agencies, or

parties that have authority and/or interests related to the handled case, formulate a handling plan, determine applicable statutory regulations, determine required juridical data, physical data, field data, and materials, compile a research work plan, and determine targets and completion times. Research is conducted with the aim of gathering physical data, juridical data, field data, as well as explanatory materials in the form of data from the involved parties, and the results of the research will be outlined in a research minutes report signed by the officers and acknowledged by the Head of the Regional Office or the Head of the Land Office or the designated Official (Maharani & Anggoro, 2024).

Presenting the research findings is meant to convey the data or information that clarifies the legal status of the product in question as well as each party's legal position. Presenting that data well essentially functions as an act of managing institutional knowledge, since a certificate-related case only reaches a sound conclusion when the information gathered from earlier cases is organized and reused properly (Darmawan, 2023). If this presentation concludes that further data, information, or a coordination meeting with the relevant agency or institution is still required to reach a decision, or that mediation is needed to resolve the case, the steps set out in Article 13 of Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 20 of 2021 may be taken. A coordination meeting is held to obtain input from experts or from the competent agency or institution involved in the cancellation process; this stage works much like coordination among different actors in a supply chain, where the outcome depends on how well each party's input is combined to produce a reliable result (Barzani et al., 2022). The meeting produces either a cancellation decision, a recommendation, or a direction that additional data or information is still needed before a cancellation conclusion can be reached. The final review is held to reach the cancellation decision to be issued by the Minister, the Head of the Regional Office, or the Head of the Land Office; its outcome is recorded in Minutes of the Final Review containing conclusions and recommendations, signed upon completion by the Director and all participants, or by the Head of Division V or Head of Section V together with all participants. The mechanism set out in Article

6 is procedural in nature and must be followed before a cancellation decision is issued, as an application of the due process of law principle in land certificate cancellation.

Article 29 of Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020 further explains that before a cancellation is carried out due to an administrative or juridical defect, the Ministry or the Regional Office, according to its authority, must notify the holder of the land right and the mortgage right where the legal product to be cancelled is a land right or a certificate encumbered with a mortgage. How well this notification actually reaches the holder matters a great deal, since a party left uninformed and unable to respond is easily perceived as negligent or at fault, even though the delay may simply reflect a gap in the notification process itself a form of stigma that an inclusive administrative system should avoid (Hardyansah et al., 2021). The cancellation decision may be issued by the authorized Minister or by the Head of the Regional Office, depending on the legal product that was issued. The requirement to notify the land rights holder before cancellation reflects the principle of *audi et alteram partem*, which gives the interested party an opportunity to be heard before a cancellation decision is made (Yuliani et al., 2025). A dispute that drags on without a clear resolution also tends to place a psychological burden on the certificate holder, so treating legal certainty as part of the organization's responsibility to the people it serves is just as important as the technical steps of the procedure itself (Issalillah & Khayru, 2025). In this way, a cancellation decision can be reached as a final resolution of the case. That decision is conveyed by the Ministry or the Regional Office, according to its authority, to the Land Office and must be followed up.

Article 32 paragraph (2) of Government Regulation Number 24 of 1997 on Land Registration states that where a certificate has been validly issued in the name of a person or legal entity who acquired the land in good faith and genuinely possesses it, another party who believes they hold a right to that land can no longer claim that right if, within five years of the certificate's issuance, they fail to file a written objection with the certificate holder and the relevant Head of the Land Office, or fail to file a claim in court concerning possession of the land or the issuance of the certificate. This

provision protects a certificate holder who acted in good faith and genuinely possesses the land, while also creating legal certainty by limiting the period for filing an objection. Keeping this time limit workable increasingly depends on how quickly and accurately land offices process and disseminate information; digitalizing this system needs to combine that technological speed with attention to the human side of the process, since the parties involved are individuals who need to be properly informed and heard, not just numbers moving through a system (Darmawan, 2023). This provision aligns with Article 64 of Government Regulation Number 18 of 2021 on Management Rights, Land Rights, Condominium Units, and Land Registration, which stipulates that the cancellation of a land right due to an administrative defect may only be carried out within five years of the certificate's issuance (Leks & Fitri, 2023). This applies to a land right issued for the first time and not yet transferred, as well as to a land right that has been transferred where the parties did not act in good faith in that transfer, in accordance with the applicable laws and regulations. Meeting this five-year window also requires the land office's staff to work efficiently and thoughtfully rather than merely quickly, since resolving a case properly still calls for care and judgment that cannot simply be reduced to processing speed (Darmawan, 2023). Once the five-year period has passed, cancellation can only be carried out through the judicial mechanism. This five-year time limit is imperative in nature and restricts the authority of an administrative official to cancel a certificate unilaterally, so that once the period has elapsed, the only remaining avenue is the judicial mechanism.

Authority of the State Administrative Court in Land Rights Certificate Cancellation Disputes

If the cancellation of a land rights certificate is carried out by the Land Office without a court decision that has obtained permanent legal force, the relevant litigation path is a lawsuit to the State Administrative Court to examine the legality of the administrative decision, because the cancellation decision issued by the Land Office constitutes a state administrative decision that can be sued based on Law Number 5 of 1986 concerning the State Administrative Court as amended by Law Number 9 of 2004 and Law Number 51 of 2009.

Authority to adjudicate a dispute over land certificate cancellation lies with the State Administrative Court (PTUN), because the object of the dispute is a state administrative decision in the form of a land rights certificate issued by the Land Office as a state administrative official. A claim may be filed with the PTUN by a party who feels aggrieved by the issuance of a cancellation decision, on the grounds that the decision contradicts applicable laws and regulations or constitutes an abuse of authority (Harahap & Harahap, 2024). This is affirmed in Article 1 point 3 of Law Number 5 of 1986 on State Administrative Justice, which states that a state administrative decision is a written determination issued by a state administrative body or official, containing a state administrative legal action based on applicable laws and regulations, that is concrete, individual, and final in nature, and that produces legal consequences for a person or a civil legal entity. A land rights certificate satisfies all three elements, and therefore falls within the meaning of a state administrative decision. Applying these criteria consistently also requires land officials to keep adjusting their understanding as regulations and case patterns evolve, since the capacity to adapt to change directly affects how accurately a certificate dispute is classified and handled (Mardikaningsih & Darmawan, 2022).

Regarding the resolution of land certificate cancellation through the judicial institution, it is necessary to identify which court has authority over the matter. The object of the dispute is a government product, namely the land certificate issued by the Land Office. The Land Office referred to is a working unit within the National Land Agency at the regional or district level that carries out land rights registration and maintains the general land registration record. The National Land Agency itself is a non-departmental government institution whose area of duty covers land affairs, and it forms an inseparable part of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency. Coordinating decisions across the Land Office, the Regional Office, and the Ministry demands an organizational structure flexible enough to keep pace with changing regulations and caseloads, since a rigid structure tends to slow down or blur where responsibility for a decision actually lies (Darmawan & Mardikaningsih, 2023). Every decision issued by the Land Office or Regional Office, including

a land certificate, forms part of a state administrative decision (Purnama, 2024). Authority to adjudicate cases concerning land certificate cancellation therefore rests with the State Administrative Court.

Once a decision with permanent legal force has been obtained in a land certificate cancellation case, the winning party may then submit a request to the authorized institution for the corresponding administrative adjustment to be carried out. To implement a decision that has attained permanent legal force, a land administrative action is then taken in the form of issuing a decision cancelling the legal product, namely the land rights certificate, in accordance with the applicable laws and regulations (Lumula et al., 2024). Carrying out this step properly depends heavily on the officials' own commitment to their duties, since a party's rights are only genuinely restored when the ruling is followed through with care rather than treated as a mere formality to be completed (Darmawan & Mardikaningsih, 2022). Once the land certificate is cancelled, the land right becomes void and the party whose name appears on the certificate as rights holder loses that status as well. A PTUN ruling that has attained permanent legal force is binding on the relevant state administrative official, so the Land Office is obliged to carry it out by issuing a certificate cancellation decision. The obligation to implement a PTUN ruling by a state administrative official is set out in Article 116 of Law Number 5 of 1986 on State Administrative Justice, which determines that a court ruling with permanent legal force must be implemented by the relevant state administrative body or official, and that if it is not implemented, the claimant may request the court to order the defendant to carry it out.

Even where a court ruling declares a certificate invalid, the certificate is not automatically cancelled; rather, the winning party must submit a cancellation request through the Head of the Land Office, based on that court ruling, as mandated by Article 33 paragraph (2) of Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020. This step is necessary because cancelling a land certificate is itself part of an administrative action taken by a government official. This provision confirms that a court ruling cancelling a certificate is not self-executing but

requires further administrative action from the authorized official to carry it out (Aretra et al., 2025). This is consistent with the principle of separation of powers between the judicial power that decides a case and the executive power that implements the ruling, where implementing a court ruling in the field of land administration requires an administrative action from a state administrative official. This process must be followed so that the Land Office can process the certificate cancellation administratively.

Legal Consequences and Administrative Responsibility for the Cancellation of Land Rights Certificates

Law is the entirety of regulations or rules in a shared life, the entirety of regulations regarding behavior in a shared life whose implementation can be enforced with a sanction. The function of law is to provide certainty to the community across all its strata. One form of the National Land Agency's role in providing legal certainty is by carrying out the duties and responsibilities of conducting administrative activities in the land sector, ranging from land data collection to the issuance of certificates (Carmadi et al., 2023). In addition, the National Land Agency is also given the obligation to implement State Administrative court decisions. This is because the National Land Agency is the body authorized to issue certificates, so their revocation or cancellation must also be carried out by the National Land Agency itself. The termination of a rights certificate, which constitutes a State Administrative decision, can occur due to a court decision that has obtained permanent legal force or the firmness of a State Administrative official.

As explained in the previous discussion, cancellation of a land certificate issued more than five years earlier must go through the judicial mechanism, namely a written claim filed with the State Administrative Court. Following that judicial process, a PTUN ruling on the disputed object is required, deciding to cancel the certificate, and that ruling must have attained permanent legal force. Whether an aggrieved party can actually pursue this path often depends on how accessible the judicial system is to them in practice, since unequal access to legal remedies tends to leave weaker parties worse off when a dispute arises (Nalin et al., 2022). The winning party must then submit a cancellation request based on that

court ruling to the local Land Office or Regional Office. If this process is not followed, the Land Office cannot process the certificate cancellation. Even where a cancellation is carried out without a court ruling that has attained permanent legal force, by law that cancellation is considered never to have existed and is therefore invalid (Yuliana, 2023). This rests on the principle that a legally defective state administrative decision is not automatically void by law, but must be annulled through a State Administrative Court ruling that has attained permanent legal force, as set out in Article 53 paragraph (2) of Law Number 5 of 1986 on State Administrative Justice, which states that a claimant may file a lawsuit against a state administrative decision where that decision contradicts applicable laws and regulations, was issued without authority, or constitutes an abuse of authority.

If a land certificate is cancelled by the Land Office without a court ruling that has attained permanent legal force, that action constitutes a state administrative decision that can be challenged before the State Administrative Court. Such a claim may be filed by a party who feels aggrieved, on the argument that the cancellation decision was issued without authority, contradicts applicable laws and regulations, or constitutes an abuse of authority. The State Administrative Court has the authority to examine the legality of that cancellation decision, and where a legal defect is proven, the court may annul the cancellation decision and require the defendant to revoke it (Wibowo & Turisno, 2024). Officials making a cancellation decision are expected to act with integrity and stay within the limits of their authority, since a decision made without regard to those limits ultimately undermines public trust in the office itself (Mardikaningsih et al., 2022). A PTUN cancellation ruling that has attained permanent legal force is executory and binding, so the Land Office is obliged to implement it. Given that the error originates from the Land Office's mistaken application of the cancellation, the Land Office itself must bear responsibility for restoring the cancelled certificate.

The National Land Agency is the institution responsible for a PTUN-ordered certificate cancellation arising from its own error or negligence in the certificate issuance process. Its responsibility does not end once an aggrieved party pursues an administrative

remedy; the Agency also bears the burden of implementing a PTUN ruling connected to its core duty of issuing rights certificates. It is even possible for compensation to be awarded, or for the Agency to pay for the loss of expected benefit suffered by the aggrieved party as a result of its own error or negligence (Yuris & Sudiro, 2023). Meeting this responsibility well depends on the work culture within the institution itself, since an organization that genuinely holds itself accountable to those it serves tends to handle a party's complaint with more sincerity than one that treats accountability as a mere formality (Mardikaningsih et al., 2022). The Agency's responsibility is not limited to administrative liability but may extend to civil liability in the form of compensation as set out in Article 1365 of the Civil Code on unlawful acts, where the loss suffered by the aggrieved party is proven to result from the Agency's error or negligence. A cancelled certificate carries consequences deemed harmful to the affected party. Article 175 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency, for instance, states that one requirement for a land-transfer permit application is that the right has never been subject to cancellation. This provision shows that certificate cancellation carries far-reaching legal consequences, not only extinguishing ownership of the land but also affecting the owner's ability to transfer that right in the future.

Under the theory of administrative responsibility, the land authority, as the institution overseeing all matters in the land sector, must be held responsible for errors made by the Land Office in delivering services to the public (Yuris & Sudiro, 2023). The law must reflect the principles of due process, system openness, transparency of work outcomes, public accountability, and an obligation of openness toward the public. Sustaining this kind of transparency is increasingly tied to how well land administration adopts information technology, since a digital system that is open and traceable makes it far easier to hold an institution accountable and to prevent errors from being repeated (Darmawan, 2024). The theory of administrative responsibility holds a state administrative body or official accountable for every action taken in carrying out its duties and authority, including errors in issuing or

cancelling a land rights certificate. This administrative responsibility forms the foundation for restoring the rights of parties harmed by a procedurally unlawful cancellation. Accordingly, legal protection for legitimate land rights holders must be a priority throughout every certificate cancellation process, whether pursued through administrative channels or litigation.

D. CONCLUSIONS

The cancellation of land rights certificates as a product of state administrative decisions has a strong juridical basis, but the parameters of administrative and juridical defects in implementing regulations still give rise to differing interpretations and legal uncertainty. The administrative mechanism for certificate cancellation involves a complex procedure and an imperative five-year time limit, such that after this period has passed, the only available path is through the judicial mechanism. The State Administrative Court has the authority to adjudicate certificate cancellation disputes, but court decisions are not self-executing and require further administrative action from the National Land Agency. The legal consequences of certificate cancellation are extensive, and the National Land Agency bears administrative responsibility and potential civil liability for errors occurring in the issuance of certificates.

The implication of this study is the necessity of refining regulations regarding clearer and more measurable parameters of administrative and juridical defects in implementing regulations to reduce differing interpretations and create legal certainty. The enhancement of the capacity and competence of land officials in implementing certificate cancellation procedures becomes highly necessary to prevent administrative errors that disadvantage the public. The strengthening of control and supervisory mechanisms over the execution of certificate cancellations needs to be undertaken to prevent the occurrence of abuse of authority by land officials. More intensive socialization regarding certificate cancellation mechanisms and the rights of interested parties needs to be conducted for the public so that they understand the procedures that must be pursued and the available legal protection.

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