

Analysis of State Administration Law on the Guidelines of Publication Results of Popular Registration and Civil Registration in the Area (Case Study In Karo District)

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ABSTRACT

Identity and information on a resident's personal data can guarantee the legal status of occupying a country. Documentation through process, creation, service, arrangement, storage and depreciation is a way of establishing one's legal status. Therefore the population in Indonesia must realize how great the documentation itself to the course of their lives. Based on the Constitution of the Republic of Indonesia, the state shall guarantee the rights of any resident of any kind. In this study the author will make the Office of Population and Civil Registry as the object of research. The problem to be studied in this discussion is to understand the intricacies of the general arrangement of documentation of the results of population registration and civil registration. Then, describe the process of processing and control the documentation of birth registration results and the last is to analyze and overcome the obstacles that occurred at the Office of Population and Civil Registry in Karo Regency. The method used in this study is normative juridical by systematically describe and analyze the object of research based on existing legislation to overcome the problems that occur at the Office of Population and Civil Registry in Karo Regency associated with the documentation. Basically the documentation of the result of registration of population and civil registration has been arranged from the Law to the Ministerial Regulation, but in the Ministerial Regulation itself needs to be given an easy explanation in understanding the implementation of documentation, then the documentation process carried out in the Office of Population and Civil Registry not entirely based on Regulation of the Minister of Home Affairs No. 19 of 2012. Further obstacles that occurred in Karo Regency is related to services, coordination between agencies and internal office tools.

Keywords: *Birth, Documentation, Recording*

1. INTRODUCTION

Documenting the results of population registration and civil registration is one of the rights and obligations of the population in the administration of population. Documenting as a preliminary process to establish our identity as citizens of Indonesia by using technology. The various United Nations Conventions firmly guarantee the right of every citizen to form a family and continue the offspring through legitimate marriages, obtaining citizenship, ensuring the freedom of religion and of choosing a place of residence in the territory of the Unitary State of the Republic of Indonesia and abandoning it and entitled to return.

The Law of Population Administration is part of the Law of the State Administration, which has an important role in the administration and the development of the administration of population administration. In line with the direction of the administration of population, civil registration and registration as part of population administration must be well laid out to provide

benefits in the improvement of governance and development.

The Office of Population and Civil Registration performs the main task of composing and implementing the regional policy in the field of population administration. With such government agencies in accordance with their functions, the preparation and coordination of the work program implementation of civil registration tasks can be effectively implemented.

Based on the above mentioned background and considering the intent and purpose of the author, the writer tries to compile this thesis with the title : "**Analysis of Law of State Administration Against Documentation of Registration Result of Population And Civil Registration in Area (Case Study In Karo Regency, Karo Regency)** "

Based on the background, then defined the formulation of the problem as follows, namely:

1. What is the arrangement of documentation of the results of population registration and civil

- registration in terms of the Laws of State Administration?
2. How is the implementation of processing and control of birth registration documents at the Office of Population and Civil Registry in Kabanjahe?
 3. What are the obstacles and completion of documenting the results of birth registration at the Office of Civil Service and Civil Registry in Kabanjahe?

The purpose of this research are:

1. To find out how the Documentation of Registration Result of Population and Civil Registration is reviewed from the Law of State Administration;
2. To find out how the Implementation of Processing and Control of Birth Registration Result Documents at the Office of Population and Civil Registry of Karo Regency;
3. To know how the Obstacles of Documentation of Birth Registration Result in the Office of Population and Civil Registry of Karo Regency.

2. THEORETICAL FRAMEWORK AND CONCEPT FRAMEWORK

2.1 Theoretical Framework

According to Lawrence Meir Friedman, a legal sociologist from Stanford University, there are four main elements of the legal system, namely:

- a) Legal Substance
- b) Legal Structure
- c) Legal Culture
- d) Legal Impec

Population registration is the recording of Population data, recording of the reporting of Population Event and data collection of Resident Population and the publication of Population Document in the form of identity card or identity certificate¹.

1.2 Conceptual Framework

The Population Document itself includes:

- a) Population Data
- b) Family Card
- c) Identity Card
- d) Civil Registration Deed. An authentic deed is a deed made in the form prescribed by law, therefore the population document has a strong strength in the evidence in court.

3. RESEARCH METHODS

3.1 Research Specification

The type of research used is Juridical Empirical, with consideration through the descriptive nature of analysis by describing the object of research in detail against legislation and then inventoried and solved the obstacles to document the registration of residents and civil records at the Office of Population and Civil Registry Karo District.

3.2 Research Sites, Population and Sample

- Research sites
The location of this research is in the Office of Population and Civil Registration of Karo Regency.
- Research Population
Research population is generalization area consist of object / subject having certain quality and characteristic determined by researcher to be studied and then pulled conclusion (Sugiyono, 2009). Population in this research is Head of Service Office of Population and Civil Registration of Karo Regency.
- Sample Research
The study sample is part of the number and characteristics possessed by the population (Sugiyono, 2009). In this research, the researcher is doing sampling one of them by using interview technique with the Head of Office in the Office of Population and Civil Registration of Karo Regency.

3.3 Data Collection Techniques and Data Collection Tools

The data collection techniques or the collection of legal materials in this thesis proposal are:

- Library Research
In this method the authors do research through the literature by reading, analyzing and studying systematically books related to the subject matter, legislation that is considered relevant and support the perfection of this thesis proposal.
- Field Research
In this case the authors collect data from the Office of Population and Civil Registry which is the object of the discussion of this thesis proposal. The author directly goes to the field, observes and directly conducts interviews with the Office of Population and Civil Registry and requests the necessary data. With this method the authors collect data to complement and support the next description in the completion of this thesis proposal.

¹ Regulation of the Minister of Home Affairs of the Republic of Indonesia No. 19 of 2012, article 1, paragraph 13

3.4 Data analysis

The analysis technique used in this research is qualitative analysis technique. Processing and analysis of data is done by describing the information contained in the legislation, linking it with library studies related to the needs required in the completion of this thesis proposal, as well as interviewing, observing directly to the field with attention to information provided by the employees of the Office Karo Regency Population and Civil Registry Office.

The material of law / research data is literature study and rule of law. Described and linked in such a way as to be presented in a more systematic writing to answer the formulated problem. The way of data processing / legal research material is done deductively that is drawing conclusion which is general to concrete problem faced. Further research data available in the analysis to gain an understanding of the documentation of population registration and civil registration Office of Population and Civil Registry Karo Regency.

4. How the arrangement of documentation of the results population registration and civil registration in terms of the Laws of State Administration?

The draft of the Population and Administration Act (Draft of Population Administration Law has been ratified into the Population Administration Act) in the plenary session of the House of Representatives, Friday 08 December 2006. The Population Administration Act is a combination of two Draft Laws, The draft of the Population Administration Act and the Draft Law on Procedures of Civil Registration. The existence of this Law has laid a new legal foundation for the administrators of population administration in positive law in Indonesia.

The law will benefit society as it aims to provide excellent public services to people who come reporting important events. This law can also reduce potential violations and criminality because criminals will usually be freely committed by irresponsible persons to falsify their identity documents.

Based on Law Number 23 of 2006 concerning Population Registration is regulated on several matters, namely:

- a) The Population Identification Number is a Single Identity Number attached to a person who is registered as a resident of Indonesia and is valid forever.
- b) Registration of Population Events consisting of Change of address, Moving of resident in

Indonesian territory, Move coming between countries, Cross border resident

- c) Population Recording Vulnerable Population Administration which includes the victims of natural disasters, the victims of social disasters, displaced people, remote communities.

The matters governed by the Civil Registry based on Law Number 23 Year 2006 consist of:

- a) Birth Registration, which consists of Birth Registration in Indonesia, Birth Registration outside Indonesia, Birth Registration on board or aircraft.
- b) Birth-Off Recording
- c) Recording of marriages consisting of Records of Marriage in the territory of Indonesia, Records of Marriage outside the territory of Indonesia
- d) Registration of Marriage Cancellation
- e) Recording of Divorce
- f) Registration of Divorce Cancellation
- g) Death Registration
- h) Recording of adoption, recognition of children and ratification of children
- i) Recording of Name Changes and Citizenship Status Changes
- j) Recording of Other Significant Events

5. How is the implementation of processing and control of birth registration documents at the Office of Population and Civil Registry in Kabanjahe?

To carry out the document processing activities of birth registration of the Department of Population and Civil Registry Karo District perform the following activities:

- a) Creation
- b) Ministry
- c) Arrangement, which is done include Complete document archives, Document grouping, Storage

Arrangement of documents on the registration of residents and civil registration by Officers at the Department of Population and Registrar of Karo Regency by:

- a) Separating the file of the registration service of the population by the civil registration based on the application;
- b) Record the file in the Citizenship and Events Important Events Diary;
- c) Grouping into active documents and inactive documents;
- d) Keep the document active;
- e) Grouping inactive documents by month and year;
- f) Storing inactive documents until there is a document retention schedule.

Document Control Process of Birth Registration Result at the Office of Population and Civil Registry in Karo Regency is as follows:

- a) Storage
- b) Media Transfer
- c) Maintenance
- d) Services, consisting of Document Discovery and Document Control
- e) Depreciation by transferring some files / documents to other places (documents that are still of value), destroying files / documents that have no longer use value, submitting permanent or vital documents to the ANRI / ARDA Archives Institute.

6. What are the obstacles and completion of documenting the results of birth registration at the Office of Civil Service and Civil Registry in Kabanjahe?

Obstacles in the case of documentation that occurred in the Office of Population and Civil Registry Karo is a computer problem, service and coordination between the implementation executive in the area in the record of birth registration results. Computers are very important and are very dependent tools in the implementation of documentation, before that in processing the data before the verification to the computer service is the thing done to receive documents obtained from the public for published quotations / birth certificate. Good coordination can make it easier to record how many registrants can reduce duplicate documents.

7. Efforts taken in overcoming Barriers in Documentation of Birth Registration Result in Karo Regency are as follows:

- a) Arrangements for population administration shall be codified in one rule including documentation arrangements. Because if we see the regulations related to population administration is very much and can cause difficulties for people who want to use the rules of population administration. With the implementation of pengkodifikasian community is easier to carry out the affairs of

population administration. Because when we see in the regulations relating to the administration of population in the regulation has been included how the procedures and conditions to carry out the administration of population.

- b) Guidelines in carrying out documentation, especially the results of birth registration should be clarified sub-sub-breaking activities. It needs every clear and bright marker in every sub documentation for documentation activity because remember in the case of not only birth registration documentation. So it can facilitate the implementation of the following activities if there are new documentation guidelines. In terms of carrying it out the employees are more aware and responsible to adhere to the existing guidelines. Employee actions determine the success or failure of the implementation of documentation.
- c) Computers for carrying out documentation must be maintained carefully and with due care, adequate hard drives are required to store transferred birth data. So if there is a natural disaster the data can be maintained properly given the vital birth documents. Service should be people-oriented, if it is well implemented to reduce the public disappointment that has been happening. The timely completion of the affairs should also be more accurate and should not be too late. It requires punishment for an official who is late in settling the issue of birth certificate in order to issue the deed on time and the penalty is effective. Co-ordination relationships must be maintained among the implementing agencies in the regions, conflicts between implementing agencies may also result in the community. Therefore coordination between implementing agencies in the region is also very important.