



Accountability of Indemnity Implementation Toward Land Liberation Dam Development of Pammukkulu, Takalar District

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ABSTRACT

The construction of the dam in the village of Kale Ko'mara has reached the first stage, the construction has resulted in 30 residential settlements being freed and about 30 hectares of agricultural land and rice fields have been freed, but the acknowledgment of the affected residents there is still some land that has not been from the community. has been in development in this first stage, The purpose of this paper is to analyze to compensate for the land for the construction of the Pammukkulu dam in Takalar Regency. The research method used in this paper is a qualitative method. The results of this study indicate that the accountability of the implementation of compensation for dam construction is reviewed from the perspective of the community. In the framework of paying compensation for land required for the development and implementation of an appropriate, clear, measurable and legal accountability system so that governance and development can take place in an efficient, effective, clean and responsible manner. Before land acquisition is carried out, it is necessary to hold a public debate to convey perceptions so that all developments can run effectively and efficiently, and carry out good socialization and interaction. In order for the implementation of compensation to run well, the relevant government needs to coordinate with all agencies and communities so that the working apparatus remains well controlled, and the community can support land acquisition.

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1. Introduction

Data from the Dam Center for the Ministry of Public Works and Public Housing shows that by 2014 the number of large dams in Indonesia, totaling 208, is spread throughout Indonesia. The total number of these dams irrigates an area of approximately 827,905 hectares. 162 In practice, the current government, namely the Ministry of Public Works and Public Housing, is carrying out a program to build 49 dams planned for 2014 to 2019.

The construction of the Pammukkulu dam involves physical environmental aspects in the form of resources as well as social aspects in the form of a population system so that it requires an administrative system for compensation in the form of a land acquisition process. Land acquisition or so-called land acquisition is broadly known as 2 (two) types, the first is land acquisition for the benefit of the government which consists of public interests, while the second is land acquisition for private interests which includes commercial and non-commercial or social interests.

The value of compensation both physically and non-physically as a result of land acquisition to those who own land, buildings and plants that can provide a better survival than the socio-economic level of life before being affected by the land acquisition project. The form of compensation can be in the form of money, replacement land or resettlement, or a combination of these forms of compensation, both two or more and other forms of compensation in accordance with the agreement of the two parties concerned.

The construction of the dam in the village of Kale Ko'mara has reached the first stage, the construction has resulted in 30 residential settlements being freed and around 30 hectares of agricultural land and rice fields have been freed, but the recognition of the affected residents there is still some land that has not been paid to the community. The problem is that it is already in the first stage of development, if this happens the government should first complete the first stage of land acquisition and then move to the first stage of development, so that there is no confusion in the community. Therefore, the targeted researcher investigates the administrative process of the compensation value as well as the form of government accountability to the affected community.

Talking about dam construction cannot be separated from the resource process, namely 3 land acquisition. Land acquisition regulations for the public interest experience dynamics from time to time. Starting from Law No. 20 of 1961 up to the most recent, namely Law No. 2 of 2012. It's just that the implementation turns out to be very complex. In Law no. 2/2012 stipulates that resettlement is a form of compensation in the land acquisition process in addition to several other forms of compensation, such as: money, replacement land, share ownership and other forms agreed by both parties.

Land acquisition or commonly known as land acquisition is broadly known as 2 (two) types, the first is land acquisition for the benefit of the government which consists of public interests, while the second is land acquisition for private interests which includes commercial and non-commercial or social interests.

According to article 1 paragraph 3 of Presidential Regulation Number 36 of 2005 concerning Land Acquisition for Development for Public Interest, the definition of land acquisition is any activity to acquire land by giving compensation to those who release or hand over land, buildings, plants, and other objects. relating to land or with the revocation of land rights. Presidential Regulation Number 36 of 2005 was enhanced by Presidential Regulation Number 65 of 2006 which according to the provisions in Article 1 the definition of Land Acquisition is any activity to acquire land by giving compensation to those who release or hand over land, buildings, plants and objects. relating to land.

Compensation Compensation for losses, both physical and non-physical in nature as a result of land acquisition for those who have building land, plants and other objects related to land that can provide a better survival than the level of socio-



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economic life before being affected by the land acquisition project. The form of compensation can be in the form of money, replacement land or resettlement, or a combination of these forms of compensation, both two or more and other forms of compensation in accordance with the agreement of the two parties concerned.

The implementation of compensation is the most frequently complained about, especially the factor of the value of compensation and the assessment carried out without considering the feasibility of ensuring the survival of the affected victim or the community whose land is used for infrastructure development.

Regarding the implementation of compensation, of course it cannot be separated from management which is full of morals and values, therefore the success of the compensation implementation program, the government concerned, must be accountable and the budget transparency prepared for the community, so that there is no confusion about this compensation program, in terms of land acquisition, as is known, the budget prepared by the relevant government, for the construction of the dam is approximately 1.7 T and the payment of land compensation in the first phase in 30 land plots, the budget prepared is approximately 4 M. for that transparency is a necessity so that the realization of compensation will run well.

The Pamukkulu Dam which will be built in Takalar Kalomara Village, and as mentioned above will submerge 2 villages, details the total area of the dam construction covering an area of 593 hectares, by looking at the total area, special costs are required to acquire land as compensation value to the community whose land and buildings are included in the development planning. In addition, it can also provide PLTA power of 25 MW and be able to control floods of 430 cubic meters per second, and provide raw water. As a service provider, the Pamukkulu Dam work is divided into two activities. The first package will be done by PT Wijaya Karya with a contract value of more than Rp. 852 billion, and package two will be done by PT Nindya Karya with a contract of more than Rp. 842 billion. The first stage of construction work involves acquiring a land area of 640 hectares and the second stage is the physical construction of the bridge.

2. Literature Review

In this study, the authors use Plumptre T. Theory. In analyzing the accountability of the implementation of land compensation for the construction of the Pamukkulu dam using the principle of accountability put forward by Plumptre T. in two internal and external variables and on this topic the researcher will describe the achievement of accountability in an external perspective on the implementation of compensation for the construction of the Pamukkulu dam in Takalar, namely: (a). Public Debate (Public Discussion) (b) Coordinations (c) Negotiations (d) feedback and evaluation (Feedback & Evaluation). The theory above is used as a tool to analyze the problems in this study.

3. Research methods

This research is a qualitative field research. Qualitative research is an approach that is also called an investigative approach because researchers usually collect data face-to-face and interact with people in the research place.

The author uses qualitative methods because in this study, the authors describe the research results obtained in the field. After the data has been collected, the presentation of the data uses descriptive techniques, namely a research method that seeks to describe and interpret objects according to what they are.

Qualitative research emphasizes the depth of data obtained by researchers. Qualitative research begins with the assumptions and use of interpretive / theoretical frameworks that shape or influence the study of research problems related to the meaning imposed by individuals or groups on a social or human problem. In a qualitative research model, a research problem will be interpreted by using the assumptions of the researcher and the interpretation of each researcher with the existing concept or theory approach.

The types of data used by the author in this study are primary and secondary data. Primary data is obtained by the author from interviews in the field while secondary data is in the form of supporting data obtained by the author in the field such as documents and reports. In addition, books and previous research results are also used as references for authors in preparing research results.

After the data is collected, it then performs the processing of the data according to the needs of the analysis being carried out. The initial process of data processing begins with editing each incoming data. After the editing process was carried out the coding process, namely classifying the informants' answers according to their kinds. In the research process, after the data has been collected and obtained, the next important step is to conduct analysis. In data analysis techniques, it does not merely describe, but also provides sufficient understanding and explanation.

3.1 Results

a. The Accountability Dimension of the Implementation of Compensation Value for the Pamukkulu Dam Development in the View from the Community Perspective.

The implementation of good governance is a prerequisite for any government to realize the aspirations of society in achieving the goals and ideals of the nation as a state. In this context, it is necessary to develop and implement an accountability system that is precise, clear, measurable and legitimate so that governance and development can take place in an efficient, effective, clean and responsible manner.

Public Debate

The construction of the dam which is located in the Takalar district, the construction and land acquisition has been going on since 2016 ago, many things have happened in the last years related to this development, especially land acquisition and the realization of community compensation are still constrained. Public interest as stipulated in the Constitution Number 2 of 2012 Article 2 concerning land acquisition is carried out based on the principles: a. humanity b. justice c. benefit d. certainty e. openness f. agreement g. participation h. welfare i. sustainability and j. harmony. Article 16 in the Constitution Number 2 of 2012 Letter (c). Public Consultation on Development plans. This shows that any development that involves the community must obtain direct approval from the community itself, the participation of the community itself which is the determinant of the effectiveness and efficiency of the smooth running of this development. Of course, there is a need for harmony and agreement on this development between the community and the government. Public debate is highly recommended before the policy decision is taken, the aspirations of the



community must be accommodated then this development policy is made. As well as the government continues to observe the condition of the community whose locations are directly affected by development. By building good relationships, there will be no misunderstanding that might lead to conflict between the government and the community itself.

In the process of land acquisition, the government regularly conducts socialization and socialization to the affected community is carried out in stages so that all activities that will be carried out before that must be socialized first, for the socialization the implementing party and BBWS and BPN routinely conduct socialization and provide information related to this development, especially land acquisition. The relevant government continues to sit together to discuss matters of payment of compensation for the land of the freed residents, and informs about the benefits of future dam construction. After being given a lecture on information and education, the next day the National Land Agency (BPN) measuring the community's land, in the socialization we were only given the choice of compensation, want assets, relocation of residence or compensation in the form of money.

The form of public discussion carried out by the government is socialization, the socialization that the government does is only informative and less interactive, the government as the party conducting the socialization provides information to affected residents about the implementation of community land acquisition to be used as the location for the construction of the Pammukkulu dam. The public debate carried out by the government has a goal that is not in line with what was described by Pluntre. The government should carry out many activities, such as interactive public discussions that collect a lot of input from the public to enrich the development policy.

The above idea emphasizes that the socialization carried out by the government is indeed only an informative medium and minimal interaction between the government and citizens. Following up on UUD Number 2 of 2012 Articles 55 and 57 concerning Rights, obligations and Community Participation, in the Implementation of Land Acquisition, entitled parties have the right:

- 1) Knowing the land acquisition implementation plan; and
- 2) Obtain information regarding Land Acquisition.

in administering Land Acquisition for the public interest, the community can participate, among others.

- 1) Provide verbal or written input regarding Land Acquisition; and
- 2) Provide support in the implementation of Land Acquisition.

Presidential Regulation Number 71 of 2012 Article 11 Part Two concerning notification of development plans that; (1) The preparatory team as referred to in Article 8 paragraph (2) shall carry out Notification of development plans to the community at the construction location. Article 12 (1) notification of development plans is conveyed directly or indirectly to the community at the development location plan, (2) direct notification shall be carried out by means of a. socialization, b. face to face and c. letter of notification.

This is not in line with Pluntre's theory of public debate, in which in every development activity there is supposed to be a room for discussion to equalize perceptions in order to get maximum results. And it is hoped that the relevant government will continue to adhere to the regulations that have been set regarding land acquisition for the public interest.

3.2 Coordinations

Good coordination between all government agencies will be very good for the growth and development of accountability. Coordination is easy to express but very difficult to carry out considering that it often disturbs / harms the interests of a government agency. In other words, coordination is very difficult to carry out because of a conflict of interest between the coordinating parties.

Assessing the results and impacts on the interaction between the government and the public in the land acquisition process of the relevant government is expected to coordinate more frequently between relevant agencies and the community, so that there will not be any complaints in the community about the constraints of compensation payments, given that the payment in the first stage has not been completed. , this allows a conflict between the community and the implementing agency for land acquisition.

When good coordination is done, it will greatly affect accountability. Implementation of activities, coordination is carried out routinely and transparently in order to create collaboration between all parties, and in order to increase responsibility and responsiveness through providing services to the community.

The construction of the Pammukkulu dam in the Takalar district is the National Strategic Program (PSN), which has several agencies involved for the purpose of completing development, such as the organizer of the BBWS Pompengan Je'neberang construction, and the executor of the land acquisition of the BPN Takalar Regency who is the chairman of the procurement executor. Land, Lman, the Governor as the Development Acceleration Team, then the community itself who needs to be involved in all policies that will be made for affected residents, as stated in the Presidential Decree No. 71/2012 concerning community involvement in development, especially land acquisition for affected communities. . This development will be effective and efficient if the perception and collaboration between all parties is accommodated.

For the success of this development BBWS as the organizer of the dam construction continues to coordinate related to development in Pamukkulu, especially the continuation of land acquisition which is currently still in the payment process for land that has been acquired and has not received compensation from it, the Great River Basin Center also continues to communicate. to the Ministry of PUPR regarding dam construction, and participate in conducting meetings of related agencies and regularly conduct supervision and observation to find out the progress of development and land acquisition.

Regarding land acquisition in this development, where the implementation of the acquisition is divided into two stages, the first stage is 100 Ha 223 Unpaid Plots 43 Ha 93 fields and the second stage is 540 Ha and 911 Fields which are still in the measurement stage. The government is expected to immediately settle payments considering that the time has been too long so that the people who have not been paid are also anxious and anxious about compensation, of course this problem can trigger conflicts and people lose trust in the government. For that we need serious responsiveness and responsiveness from the government in this matter.

The National Land Agency (BPN) claims that the administration of land acquisition in stage one has been completed but, what is the problem is that the Lman (State Asset Management Institute) itself has not paid the community, the reason



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Lman has not made the payment is the process. the administration in lman is still in the process of validating files and data, even though the BPN and BBWS in the land sector have verified these files as part of the executor of land acquisition. This activity is what hinders the payment, even though there are two task forces formed by BPN task force A that carry out the measurement, Task Force B which consists of several agencies to conduct an assessment for the issuance of the nominative and the Appraisal team which reassesses the nominative, the agency is doing the work directly. In this field, in this case, the agencies for implementing the development and land acquisition are all working, but the Lman is holding back the payment, which makes the work below arguably less successful, which leads to the anger of the residents whose land has not been paid up to now.

In the bureaucratic system, what happens is chaotic so that the stagnation of a program that has been scheduled beforehand, the government in this case must quickly become aware of itself and be responsive in resolving problems like this, of course coordination is very necessary to continue for the completion of this compensation payment in this first stage, All input should be accepted by all parties is one of the driving factors for the creation of accountability in the purpose and meaning of accountability must be communicated openly to all parties so that the standards and rules can be accepted by all parties.

3.3 Negotiations

Accountability is a government activity as a form of government responsibility to the public, seen from the extent to which transparency in the delivery of public services. The government takes an important role in the implementation of accountable services because accountability is related to all government activities In the Accountability Program, related to land acquisition, of course, involves creating the results of government operations and involving the public, especially local communities. In order to achieve program effectiveness, a number of facilities must be provided, including the provision of public space facilities and space for discussions on land acquisition. And carry out joint activities to achieve program effectiveness.

Land acquisition and compensation payments are certainly a tough task for administrators and implementing agencies for compensation for land acquisition, this is very sensitive, for this reason it is hoped that the agency will continue to take a massive humanist approach, and provide an understanding of land acquisition in Pammukkulu for the public interest.

It takes a joint effort from all parties, both the government and the community itself, in a comprehensive manner to anticipate the consequences or risks and problems that will occur in the process of land acquisition in the public interest, in a participatory manner. The community in the Pammukkulu construction site who experiences the impact of these physical and non-physical risks, must be accommodated by their aspirations (wishes and hopes) with a humanist and dialogical approach. Of course, there should be national negotiations on land acquisition and unifying the differences and the goals and objectives of the responsibilities and authorities of each government agency. Determination of who is responsible for an activity, who is related to the activity and the community affected by land acquisition can express their wishes regarding compensation for the freed land, all of which needs to be negotiated.

Regarding the land acquisition of residents and compensation, the River Basin Hall and the National Land Agency conducted a sit-down meeting and provided information regarding the continuation of land acquisition, and provided an education and pilot project about the benefits for the affected community regarding land acquisition. So every stage carried out by the executor of land acquisition, before that deliberation is carried out first and all development activities also involve the community.

So this deliberation there is no discussion about the offer of compensation, only we convey the value of land owned by the community, in Pammukkulu, in the process of implementing land acquisition, there is one more stage that is being carried out, namely a land review by the Development Financial Supervisory Agency (BPKP). This is also what is deliberated for compensation, but in the deliberation there are no negotiations regarding nominal prices or prices, etc., there is only conveyed, what form the residents want to compensate for, want money, relocation of place or form of shares. Residents are given choices about compensation and information about their land and its size and on top of which there are plants and buildings, there are trees and the value is only so, residents may not protest about the values that have been determined, residents can only agree or disagree. , later there will be an official report, the minutes will be signed, how many people are seventh and not seventh, if he agrees then the payment process is carried out, if they do not agree they can file an objection in court, there is a period of 14 days for them to file an objection, objection the compensation value, so there is no more bargaining, it has been stipulated in such a way by the Constitution regarding land acquisition for the public interest.

Several Standard Operating Procedures related to the Land Acquisition Process in Pamukkulu, SOPs are not only internal but also external, because standard operating procedures are not only used to measure the performance of public organizations related to program timeliness and timing, but are also used to assess the performance of public organizations in the eyes of public and government agency performance accountability. The results of the study show that not all work units of government agencies have standard operating procedures, therefore every public service work unit of government agencies should have standard operating procedures as a reference in action, so that the accountability of the performance of government agencies can be evaluated and measured.

Following up on Presidential Decree Number 71 of 2012 Article 29 concerning Public Consultation on Development Plan number (2) The preparatory team shall carry out a Public Consultation on the development plan at the lurah / village office or any other name or place agreed by the preparation team with the entitled parties. then Article 33 Number (1) in the public consultation a dialogical process is carried out between the preparatory team and the entitled parties. Interpreting Presidential Decree Number 71 of 2012 that indeed the affected people must be involved in this development so that they can issue all their aspirations and benefits, whether it is bargaining or not considering their land to be used, with the dialogue space between the implementers. and citizens, in order to be accepted by all parties is one of the driving factors for creating accountability in the implementation of public services. The purpose and meaning of accountability must be communicated openly to all parties so that the standards and rules can be accepted by all parties.

3.4 Feedback and evaluation.

In the context of ideal development, the community is used as a spectrum for progress in sustainable development, gathering information about how the public responds to the implementation of compensation for land acquisition for



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pammukkulu development. loss of land acquisition for the pammukkulu dam. This socialization includes seeing how the residents respond or perceptions to the construction of this dam whose land has been cleared for the public interest.

The community response to this development is quite good, and accepts all the provisions of development, the community mostly understands the benefits that will be generated When the dam is completed, such as can irrigate about 6400 ha of agricultural land, and as a hydropower plant , as well as storing water if it rains to control flooding, and landslides, as well as local residents can make this dam a tourist place because its location is surrounded by mountains making this dam a new tourist destination. Even though the residents 'settlements are sacrificed, the residents' hometowns will be drowned, it will not be a problem as long as the implementation of the compensation is appropriate and the process will not take long for us to accept and possibly also participate in this construction.

Socialization related to land acquisition which has the potential to lose the livelihoods of residents who have only been used as a source of livelihood, such as farming and farming. After receiving the information, the government then conducts an evaluation. After hearing responses and agreeing and disagreeing responses from residents or agreeing with the conditions, this is a review for the government to perfect the task of implementing the compensation. This then motivates the government to refine the program and further increase accountability in the implementation of compensation and land acquisition, and maximize the process of payment of this compensation that is just for social recovery for affected residents who only depend on their land, and it is hoped that the government will fulfill it. wishes and hopes of residents whose land is used for public interest.

4. Conclusion

Based on the description of the results regarding the accountability of the implementation of compensation for land acquisition for the construction of the Pammukkulu dam. in this case orientation, value standards and factors related to land acquisition and compensation. Land acquisition for development for the public interest is an activity to provide land by giving appropriate and fair compensation to entitled parties.

a. Public debate

The form of public discussion carried out by the government is socialization, the socialization carried out by the government is only informative and less interactive, where the government as the party conducting the socialization provides information to affected residents about the implementation of community land acquisition to be used as the location for the construction of the Pammukkulu dam.

b. Coordination

In order to achieve effective and efficient development, it is necessary to coordinate as often as possible between all parties so that all perceptions can be unified. So far the River Basin Center or BBWS has often coordinated between various parties such as the BPN as the executor of land acquisition and the community and provide mutual input and solutions related to existing problems. however, the lack of coordination with the central government hampers any obstacles in the process of implementing compensation.

c. Negotiation

The government administering and executing land acquisition, in this case the BBWS Sunga Regional Center and the National Land Agency of the National Land Agency (BPN) continue to conduct several deliberations, but in these deliberations there is no mutual bargaining or negotiation with the community whose land is acquired, the community can only choose to accept it or not. against the value of compensation mentioned by the government. And only people are told to choose compensation for the relocation of land or money. There is no bargaining activity in the meeting.

d. Feedback and evaluation

The government conducts outreach and direct reviews to the community regarding land acquisition and compensation. After receiving the information, the government then conducts an evaluation. After hearing responses and agreeing and disagreeing responses from residents or agreeing with the conditions, then this is a review for the government to perfect the task of implementing the compensation. This then motivates the government to refine the program and further increase accountability in the implementation of compensation and land acquisition

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