




Legal Aspects Of Oil Palm Theft In Rantau Prapat Jurisdiction

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ABSTRACT

The crime of theft is regulated in Article 362 of the Criminal Code (KUHP) which states that anyone who takes goods, wholly or partly belonging to another person, with the intention of possessing the goods against the law, shall be punished for stealing with imprisonment for a maximum of five years or a fine of as much as nine thousand rupiah, but in practice there is still a crime of oil palm theft in the rantau prapat area which is the city of dollar. The purpose of writing is to explain the causes of the crime of oil palm theft in the jurisdiction of rantau prapat, to explain the efforts to resolve oil palm theft in the jurisdiction of rantau prapat. Data obtained from the results of field research as well as data from the results of literature research, secondary Data is done by reading and analyzing legislation, books, and articles related to this research. Field research was conducted to obtain primary data through interviews with respondents and informants. analyzed using a qualitative approach. the preparation of research results is carried out using a descriptive method that is trying to give a real picture of the realities found in practice by describing the results of field research accompanied by a description of the applicable legal basis. The results of the study into the causes of oil palm theft in the jurisdiction of rantau prapat are economic factors, factors of opportunity, and factors of land disputes. Efforts to combat oil palm theft in the jurisdiction of rantau prapat have been carried out by preventive or preventive means, namely installing sheets on prohibitions and sanctions for those who steal oil palm both community and company property on Village information boards, then the police will make a reperesive effort, namely enforcement, arrest after receiving reports from the community. It is hoped that all authorities can work together and a sense of concern and resolution of land disputes for people living in the area of the company both from the government and the company in order to reduce the crime of oil palm theft in the jurisdiction of rantau prapat.

INTRODUCTION

Palm oil is a plant that is widely cultivated in Indonesia with a plantation system by large companies both by government companies in the form of State-Owned Enterprises and privately owned companies. Even people grow a lot of small palm oil. Palm oil has a very high economic value and is the most widely used vegetable oil producer by the wider community in Indonesia. The main result of oil palm plants is palm oil or often referred to as Crude Palm Oil (CPO) and palm kernel (palm kernel oil/PKO).

In order to realize one of the goals of the government in Labuhan Batu Regency (Rantau Prapat), which is to promote the general welfare for people's lives, the government in Labuhan Batu needs to develop the potential of Natural Resources, one of which is oil palm plantations in Labuhan Batu Regency. A very important and potentially developed sector in the agrarian sector is plantations, especially oil palm plantations which have many advantages in the field of trade in the Labuhan Batu Regency area. So the plantation has an important role.

The income of the people in Labuhan Batu Regency is not balanced with the expenditure on the necessities of life so that there is an insistence on economic needs, this triggers social deviations. Social deviations that occur in the midst of community life are more likely to lead to criminal acts. The selling value of oil palm greatly affects the high crime of theft that occurs in oil palm companies in the jurisdiction of the Rantau Prapat District Court, the perpetrators of oil palm theft crimes can be from people who live in the area of the company and employees of oil palm companies.

Theft is one of the types of crimes against human property provided for in the Criminal Code (KUHP) and is a rampant problem of society. Many cases of oil palm theft are carried out by the community or people who are very detrimental to plantation companies. Theft of plantation assets occurs in the production of oil palm plantations.

The problems caused by the existence of oil palm companies are community disputes with oil palm companies in the jurisdiction of the Rantau Prapat Court, lands that have not been compensated by the company, the land used by the company is still considered by the community their land. The problem of land disputes that occur in oil palm companies lack attention from both the local government and the company, the boundaries of company-owned land and community land that does

not have boundaries so that people continue to take (harvest) oil palm.

Regarding the crime of theft, it is stipulated in Article 362 of the Criminal Code which reads : "Whoever takes an item, which totally or partially belongs to another person, with the intention of possessing it against the law, shall be punished for stealing with imprisonment for a maximum of five years or a fine of nine thousand rupiah".

Based on the above background, the formulation of the problem in this study is whether the causes of criminal acts of oil palm theft in the jurisdiction of the Rantau Prapat District Court and how efforts penanggulangan crime of oil palm theft?

METHOD

The research method used in writing this law is a normative juridical approach. Normative juridical approach is a study that uses secondary sources obtained through library materials. This normative legal research usually includes: research on legal principles, research on legal Systematics, research on vertical and horizontal synchronization levels, Comparative Law and legal history. The method of this approach is carried out by studying the legal norms in legislation.

RESULTS AND DISCUSSION

A. Legal certainty of oil palm theft in Rantau Prapat District Court

In 2022 there were 8 cases of theft of company-owned palm oil processed by the Rantau Prapat police, the case was processed at the Rantau Prapat District Court, then in 2023 there were 5 cases of theft of company-owned palm oil, the case was then processed at the Rantau Prapat District Court. In this case, the authorities provide information about the crime of oil palm theft, there are several factors that cause the rampant crime of oil palm theft owned by companies in the jurisdiction of the Rantau Prapat District Court, namely:

- 1) Economic Factors, The crime of corporate oil palm theft in Aceh Singkil Regency cannot be separated from the influence of the economic environment of community life in Aceh Singkil Regency, because of poverty and wanting to have something without doing hard work so that it leads someone to use shortcuts such as using corporate oil palm theft. The selling value of palm oil is something that promises big profits."According to the perpetrator who also has a job as a worker of an oil mill

company, every day the increasing needs are not in accordance with the income that can be obtained, doing the theft of oil was done with the encouragement in order to change the economy of the perpetrator, the perpetrator admitted regret doing the theft of oil and the perpetrator promised not to repeat perbutanya". "One of the causes of a person committing a crime of theft of palm oil company was caused by economic environmental factors. Because of the difficulty of getting a job and the influence of poverty and to quickly get money without doing hard work so as to direct someone to use shortcuts and encourage someone to commit theft of palm oil companies. Theft is carried out by people in the company area, namely the community for reasons such as : economic factors of underprivileged people (poverty), the problem of the number of people not working (unemployment)., The presence of environmental influences and factors of necessity, namely the necessity to eat. "According to the perpetrator who also has a job as a worker of an oil mill company, every day the needs of children for school must be funded, doing the oil thief is done because he is forced by circumstances and the economy of daily life, daily income is not enough to cover the needs of the family plus I have to pay for. "And according to the perpetrators of oil theft is done because they are forced to pay existing debts, stealing oil is easy to sell and quickly get the money. it has often done this oil theft and pelakumengetahui perbutan was wrong and banned by law, but how else would the daily necessities"

2) Chance Factor From the description of Mr. Sanusi as the security (security guard) , can be drawn the following conclusions : Theft is done by workers / workers of the company, usually carried out by Daily employees of the company for several reasons, as follows: a. Dissatisfaction with the company., b. Lack of attention from the company to the welfare of employees of the company., c. The proximity of the plantation area / land with community settlements thus providing an opportunity to commit oil palm theft., d. Lack of security personnel (security guard) company., and e. The extent of the company's plantation area so that it cannot be patrolled on foot must be transfortasi. "That the community

who committed the crime of theft of corporate palm oil is one of the causes because of the opportunity for the perpetrators to commit the crime of theft of corporate palm oil is added again with the position of the company's land bordering the community's land so that people easily get opportunities and opportunities to commit theft"

- 3) Factors Of Land Dispute "According to the perpetrator who also has a job as a worker of a palm oil mill company and community leaders, the number of problems that exist due to the arrival of the factory company that occupies community lands because the company does not compensate the community's land in accordance with what is expected and what the community wants, the perpetrator also, the perpetrator does not regret his actions and will fight to defend his property rights, the perpetrator said This was not because of chance but because the land and oil palm belonged to the perpetrator".

B. Efforts to counter oil palm theft in the jurisdiction of the Ranta Prapat District Court

- 1) Preparedness efforts Preventive measures are taken to prevent the onset of crime for the first time. In an effort to handle corporate oil theft, the Aceh Singkil police and the village apparatus prioritized prevention efforts over enforcement efforts in handling corporate oil theft crimes, in addition, with the help of village officials who made sheets that were pasted in the Gampong/village courtyards about the punishment for those who committed oil theft, both community and company property. One of the prevention efforts undertaken by the company is as follows: a. Increased Garden security patrols., b. Maintain areas prone to theft of palm oil., c. Add the number of security company (security guard)., d. Creating elephant ditches to limit the company's oil palm with community settlement., and e. Maintain good relations with the community, namely counseling to the community, providing social assistance
- 2) Repressive attempts Referential efforts made by the authorities, namely the Aceh Singkil police, took action against the perpetrators, namely the arrest and processing at the Aceh Singkil police station

by receiving reports from the public and corporate security (security). To avoid things that do not want the public to report to the police and jointly arrest the perpetrators of oil theft. The actions taken by the company are as follows: a. Menyerhakan perpetrators against the security forces and handed over to the authorities, namely the police., b. Follow the rules of applicable law., c. The employee will lose his or her job or be terminated., With the penanggulangan efforts undertaken by the authorities regarding the crime of oil palm theft, hoping to reduce the crime rate of oil palm theft, especially to maintain the company's relationship with the community in order to remain safe, peaceful and harmonious.

CONCLUSION

Factors causing the theft of palm oil companies in the jurisdiction of the rantau prapat Court are economic factors, land dispute factors, and opportunity factors. Efforts to counter corporate oil palm theft in the jurisdiction of the rantau prapat District Court have been carried out in a preventive manner, namely installing sheets on prohibitions and sanctions for those who commit oil palm theft both community and company property. Furthermore, the police will make referential efforts, namely action and arrest after receiving a report from the community and processed in accordance with applicable rules, the impact that is not good caused by the crime of theft of palm oil owned by the company in public life is the absence of moral values in public life because those involved in the crime of theft of palm oil are not only parents but also many teenagers.

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