

**OPTIMALIZATION OF SUPERVISION  
“OMBUDSMAN REPUBLIK INDONESIA” IN  
THE IMPLEMENTATION OF KTP–  
ELECTRONIC SERVICE IN INDONESIA**

*(Study in Ombudsman Republik Indonesia)*

**UNDERGRADUATE THESIS**

**As Undergraduate Thesis Submitted for Bachelor Degree of Public  
Administration  
Faculty of Administrative Science, University of Brawijaya**

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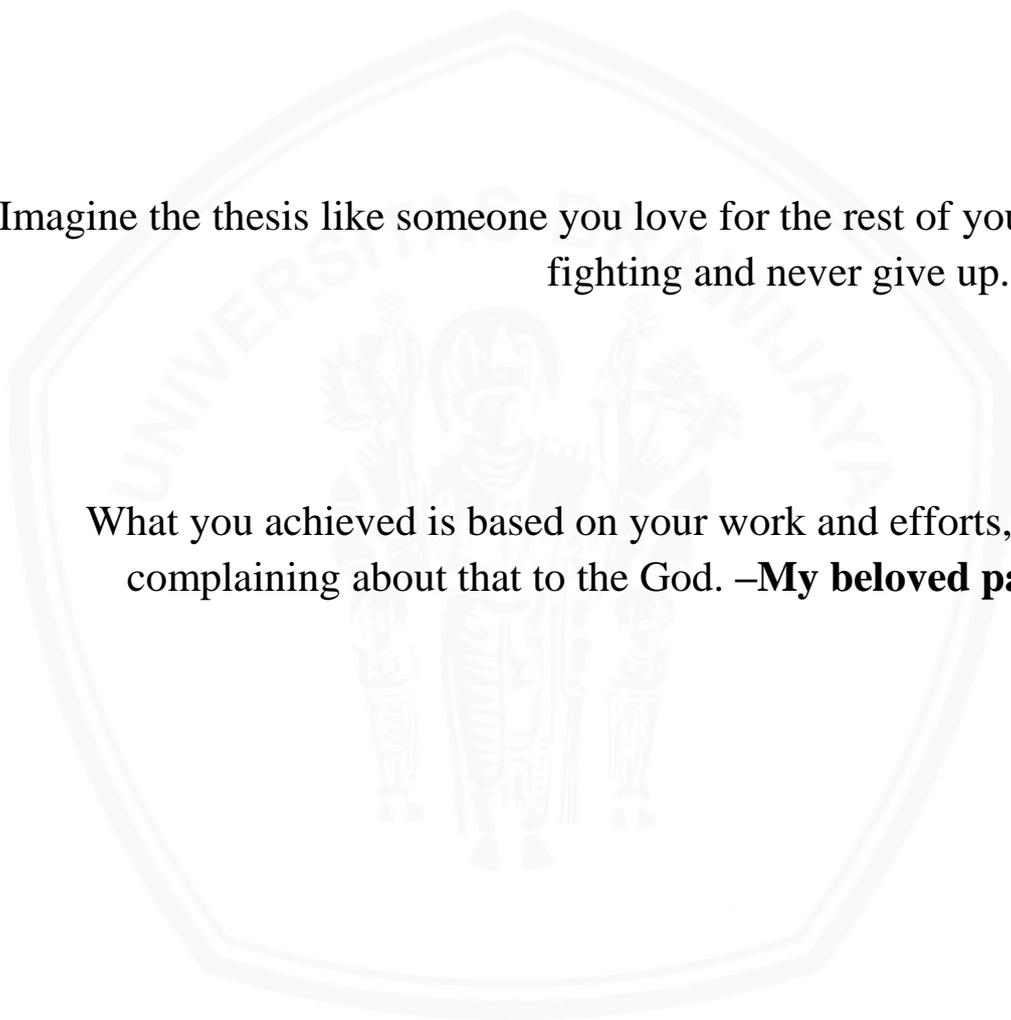


**UNIVERSITY OF BRAWIJAYA  
FACULTY OF ADMINISTRATIVE SCIENCE  
DEPARTMENT OF PUBLIC ADMINISTRATION  
MALANG  
2018**

## MOTTO

Imagine the thesis like someone you love for the rest of your life,  
fighting and never give up. –**Ivas**

What you achieved is based on your work and efforts, never  
complaining about that to the God. –**My beloved parents**



## APPROVAL SHEET OF UNDERGRADUATE THESIS

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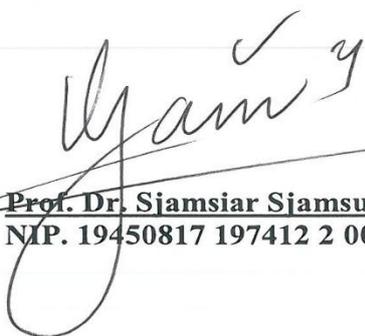
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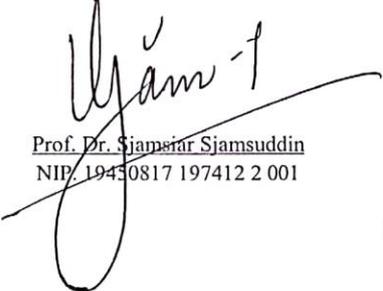
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In The Implementation of *KTP*-Electronic Service In Indonesia  
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## ORIGINALITY STATEMENT OF UNDERGRADUATE THESIS

I declare genuinely that along to my knowledge, in this undergraduate thesis there is no scientific paper that have proposed by other parties to get the scientific work or opinions ever written or published by another person, except the written qoutes in the text and referred to the resource and references.

If plagiarism elements may be proved in this undergraduate thesis, I disposed to this undergraduate thesis to be aborted and the academic degree I have gained (S1) to bo cancelled, and processed in accordance with enacted Law No. 20 year 2003 about National Education System, Article 25 of Paragraph 2 or in the Article 70.

Malang, 27 Maret 2018



Ivasty Dirgantari

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## DEDICATION SHEET

Struggle is a valuable experience that can make us become qualified human beings.

I dedicate this thesis writing to Administrative Science Faculty, University of Brawijaya and especially my beloved parents, who have worked hard for their child especially for me, so I can enter the college and came out with a bachelor's degree. Their support and advice that became the bridge of my life journey. Hopefully, after I get my Bachelor Degree I can make my parents proud and happy forever and ever.

## SUMMARY

Ivasty Dirgantari, 2018, **Optimalization of Supervision “Ombudsman Republik Indonesia” in The Implementation of KTP-electronic service in Indonesia (Study in Ombudsman Republik Indonesia)**, Advisers: Prof. Dr. Sjamsiar Sjamsuddin and Dr. Alfi Haris Wanto, SAP, MAP,. MMG.

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This research was conducted on the basis of the many criticisms of the public on the provision of *KTP*-electronic services in Indonesia which in providing services to the public less professional and feel the high levy of unofficial, lack of certainty of time, delayed and unsuccessful service given. How to optimize the supervision made by the Ombudsman of the Republic of Indonesia as an independent external supervisory institution against the providers of *KTP*-electronic services in Indonesia overcome the maladministration problems that harm many surrounding communities. Supervision of a service provider is necessary. Because people always expect the implementation of good and fair public services and other products and services of quality. It's just that in practice, these expectations can not always be met by the government. Until now there are still many cases of public services that are far from the expectations of society. Even at the most critical level, people even question the existence of the state in providing public services to the public.

This research uses descriptive research type with the qualitative approach with focus restriction which refers to the result of field research which is correlated and analyzed in accordance with supporting theories about the optimization of supervision in the implementation of *KTP*-electronic services in Indonesia. the focus of which is 1. Technical Supervision a. Direct Supervision, b. Indirect Supervision, 2. Follow-Up 3. Reduced Public Demands on Government also supporting and obstacle factors that are analyzed based on stories submitted by informants. The research data was obtained through interviews and field documentation. The data analysis used is data analysis in Creswell's opinion.

The results of this research indicate that the optimization of supervision by the Ombudsman of the Republic of Indonesia as an external supervision body towards the providers *KTP*-electronic services in Indonesia has not had a big impact felt by the community users of *KTP*-electronic services. Good supervision results in a corrective action as the ultimate form of control, but a corrective action will not proceed according to the line in the absence of supervision therein. An supervision is said to be important because without proper supervision will certainly result in a less than the satisfactory goal. The higher level of public demand for the providers of *KTP*-electronic services in Indonesia shows that the supervision of the Ombudsman of Republic of Indonesia as an external supervisory agency is less than optimal.

**Keywords: Optimalization, Supervision, Ombudsman of Republic of Indonesia**

## PREFACE

Bismillahirrahmanirrahim.

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## CHAPTER I

### INTRODUCTION

#### A. Background

In the essence, government is a servant of society. Government does not just serve its own interests, but to serve the interests of society. Before the reform era, the state and government administration was characterized by maladministration, such as corruption, collusion and nepotism. From the various problems that occurred at that time, the need for bureaucratic reform of state and government administration in order to realization the state and government administration to be effective, efficient, honest, clean, open, free and fair.

One of the reasons of bureaucracy reform is expected to become mental change and bureaucratic culture in providing services to the community by realizing bureaucratic apparatus with high integrity. The desire to reform the bureaucracy reform become community encouragement to establish various non-governmental organizations (NGOs) that supervise government performance, such as the Indonesian Corruption Watch. However, external surveillance systems conducted by various non-governmental organizations (NGOs), students and other democratic components have limited functions as institutions that not directly affect bureaucratic and power structures. At the same time, the government agencies responsible for internal control are also not working optimally, even acting more or less as a means of justification and patronage of public officials who did irregularities.

The demand of public for the performance of government in realizing a good, transparent, free and honest government can be judged from the ability to implement the legislation and implementation of public service. Based on Article 1 paragraph (1) of Law Number 25 Year 2009 regarding public service, the definition of public service as follows:

*“kegiatan atau rangkaian kegiatan dalam rangka pemenuhan kebutuhan pelayanan sesuai dengan peraturan perundang-undangan bagi setiap warga negara dan penduduk atas barang, jasa, dan/atau pelayanan administratif yang disediakan oleh penyelenggara pelayanan publik.”*

“Activities or series of activities in the context of the fulfillment of service needs in accordance with the laws and regulations for every citizen and resident of the goods, and/or administrative services provided by the public service providers.”

According to Dwiyanto (2005) in Sirajuddin, (2012:3), there are several considerations why public services make a strategic point to start the development of good governance in Indonesia. First, public service has been a place where the state represented by the government interacts with non-governmental institutions. Second, public service is a domain where various aspects of good governance can be articulated relatively and more easily. Third, public service involves the interests of all elements of governance. Government as a representation of state, civil society, and market mechanisms have a high involvement in this sphere.

Because of this situation, makes the necessary supervision of public services. The act of state administration in the implementation of government shall be accountable both morally and legally. There is a need to supervise the course of a government, which is a guarantee to fit the character of the rule of law a country.

That's why the Ombudsman institution was born in Indonesia. This institution was formed on March 10th, 2000 with the previous name is "*Komisi Ombudsman Nasional*". *Ombudsman Republik Indonesia* is a state institution in Indonesia which has the authority to supervise the implementation of public services both organized by the state and government administration, including those organized by State-Owned Enterprises, Regional Government Enterprises and State-Owned Legal Entities as well as private or private bodies assigned carry out certain public services which part or all of its funds are sourced from the state budget of revenues and expenditures or the budget of regional income and expenditure (Law 37 of 2008 about *Ombudsman Republik Indonesia*).

The establishment of *Ombudsman Republik Indonesia* is based on the basic idea as stated in Presidential Degree No. 44 Year 2000, namely:

- a. *Bahwa pemberdayaan masyarakat melalui peran serta mereka melakukan pengawasan akan lebih menjamin penyelenggaraan negara yang jujur, bersih, transparan, bebas korupsi, kolusi dan nepotisme;*
  - b. *Bahwa pemberdayaan pengawasan oleh masyarakat terhadap penyelenggaraan negara merupakan implementasi demokrasi yang perlu dikembangkan serta diaplikasikan agar penyalahgunaan kekuasaan, wewenang ataupun jabatan oleh aparatur dapat diminimalisasi;*
  - c. *Bahwa dalam penyelenggaraan negara khususnya penyelenggaraan pemerintahan memberikan pelayanan dan perlindungan terhadap hak-hak anggota masyarakat oleh aparatur pemerintah termasuk lembaga peradilan merupakan bagian yang tidak terpisahkan dari upaya untuk menciptakan keadilan dan kesejahteraan;*
  - d. *Lembaga ombudsman merupakan suatu komisi pengawasan yang bersifat mandiri dan berdiri sendiri lepas dari campur tangan lembaga kenegaraan lainnya.*
- a. That the empowerment of the community through their participation in supervision will further to ensure the administration of state an honest, clean, transparent, corruption-free, collusion and nepotism;
  - b. That the empowerment of sion by public against the state administration is a democratic implementation that needs to be developed and applied in

order to abuse of power, authority or position by the apparatus can be minimized;

- c. That in the administration of the state especially the administration of the government providing services and protection of the rights of community members by the government apparatus including the judicial institution is an integral part of efforts to create justice and prosperity;
- d. Ombudsman institution is a commission of supervision that is independent and stands independent from the interference of other state institutions.

Before there is an Ombudsman institutions, public service complaints are only submitted to the reported agencies and handling is carried out by officials reported so that the public has not received adequate restrictions and protections. In addition, to resolve public service complaints, it has been done with a lawsuit through the courts. The resolves of that takes a long time and the cost is not small. Therefore, it is necessary to have an individual institution that resolves the settlement of public complaints easily and does not charge a fee.

Ombudsman as a supervisory independent institution is expected to remain on its initial commitment to encourage public workers to perform their functions properly. Ombudsman as a supervisory institution remains in place so that state organizers who receive Ombudsman encouragement run fast toward a better government (Good Governance). Good state and governmental administration only can be achieved by improving the quality of state and governmental apparatus and upholding the general good governance principles.

According to Kurniawan (2005) in Sinambela (2006:5) public service is defined as the service providers the needs of people or communities who have interests in the organization in accordance with the rules and procedures set. Public service implementation is one of the important functions of government in addition to distribution, regulation, and protection. One example of the

phenomenon reported by the mass media today is the Identity Card (*KTP* or *Kartu Tanda Penduduk*). Identity for a citizen of a country has a very fundamental and strategic role and function. Armed with identity card, people can perform all activities related to economic, social, political, defense, security, law, and other activities that show the existence of a person as a social and personal being.

The implementation of *KTP*-electronic in Indonesia has been started since 2011, aimed at supporting the realization of an accurate population database, preventing and closing the chance of multiple *KTP* or fake *KTP*, which limit the space for criminals such as terrorists. *KTP*-electronic is designed with very high data security. Can be seen with the chip planting in the card that has the ability of authentication, encryption, and digital signatures. In the *KTP*-electronic recordings are stored a number of personal and unique information that distinguishes one personal with another personal namely biodata, pas photo, fingerprints and recording iris of residents who are digitized.

In 2013, the government issued Presidential Regulation No. 112 year 2013 about the implementation of Identity Card (*KTP*) based on National Identity Card (*NIK* or *Nomor Induk Kependudukan*) which contains provisions that *KTP*-non electronic still apply to people who have not received an *KTP*-electronic up to 31 December 2014. In fact, not all of the population has an *KTP*-electronic. Finally, the government extends the completion of registration and recording of *KTP*-electronic up to September 30, 2016 (Letter by the Ministry of Internal Affairs Number 471/1768/SJ dated May 12th, 2016 on Accelerated Issuance of *KTP*-electronic and Birth Certificates).

But as the reality is, what people expect is not suitable as government plans. This proved the number of problems regarding the implementation of *KTP*-electronic program. From reports of public complaints submitted to *Ombudsman Republik Indonesia*, mostly by *KTP*-electronic. Found various potential maladministration in the implementation of *KTP*-electronic, such as:

- a. Facilities and infrastructure, as well as inadequate infrastructure such as *blanko*, servers, computers, power grids, internet networks, generators, printers and printer inks, special booths, *KTP*-electronic printing;
- b. Human Resources;
- c. Grievance systems and centers or community reports;
- d. Lost and multiple population identity number (*NIK* or *Nomor Induk Kependudukan*);
- e. Updating of population identity number (*NIK* or *Nomor Induk Kependudukan*) to other institution;
- f. Information and socialization;
- g. Minority/believer religious residents include disability populations;
- h. Population given priority to obtain *KTP*-electronic;
- i. Absence of execution procedures or technical guidance;
- j. Procurement and provision of *KTP*-electronic;
- k. Third parties (brokers and illegal levies) that provide recording requirements to *KTP*-electronic printing.

From various potential maladministrasi above, based on the duties and authority of the *Ombudsman Republik Indonesia* as a state institution that

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supervise the implementation of public services. *Ombudsman Republik Indonesia* is free from any interference of other powers. As in the case with Law 37 year 2008 which provides two exclusive rights to the Ombudsman institution, such as:

1. The right of immunity as full support for the performance of duties and authority of the Ombudsman. With this immunity, (as provided in Article 10), the Ombudsman can not be arrested, detained, interrogated, prosecuted or sued in court.
2. In a forced calling attempt. In article 31 it states "in the case of the reported and the witnesses referred to in article 28 paragraph (1) point a, having been summoned three times in a row not fulfilling the summons for valid reasons, the Ombudsman may request the assistance of the police to present the concerned person by force"

Therefore, because of suspected as maladministration in the implementation of public services that occurs on *KTP*-electronic. This case needs special attention by the Ombudsman. Thus, the Ombudsman issued recommendations related to the implementation of *KTP*-electronic services. The final outcome form issued by the Ombudsman related to maladministration is a recommendation. The recommendation issued by this Ombudsman are mandatory under Law No. 37 Year 2008. In a sense, every agency that becomes reported party must implement the recommendations issued by the Ombudsman.

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Recommendation of Ombudsman by Number: 0004/REK/IN/XI /2016 in the implementation of public service of *KTP*-electronic. Ombudsman of Republic of Indonesia recommends to the Ministry of Internal Affairs to do the following:

1. *Terkait perencanaan program dan anggaran*

a) *Melakukan perencanaan penganggaran secara cermat dalam hal alokasi waktu dan kebutuhan pembiayaan perekaman dan pencetakan KTP-elektronik, agar tidak terjadi keterlambatan dan hambatan dalam pelayanan dan pengadaan dengan melakukan identifikasi dan proyeksi berbasis data guna mendorong percepatan integrasi data kependudukan melalui penyelenggaraan Sistem Identitas Tunggal Nasional (SIN).*

b) *Melakukan kerjasama dengan kementerian/lembaga pemerintah lain, POLRI, TNI, yang terkait sebagai upaya membangun dukungan prioritas nasional untuk program KTP-elektronik maupun para pihak yang berpotensi menjadikan data KTP-elektronik sebagai basis data untuk akses pelayanannya, baik dalam rangka sosialisasi maupun memberikan kemudahan layanan kepada publik.*

c) *Berkoordinasi dengan DPR RI, Kementerian Keuangan, serta Pemerintah Daerah untuk memastikan dukungan ketersediaan anggaran bagi penyelenggaraan layanan (tinta, printer, listrik), pengiriman maupun pengadaan sarana-prasarana yang diperlukan serta dukungan dalam bentuk aturan atau edaran daerah untuk mengawasi dan mempercepat pelayanan KTP-elektronik.*

d) *Memanfaatkan sisa waktu pada tahun 2016 untuk memberi prioritas layanan perekaman, pencetakan, dan validasi data kependudukan untuk daerah-daerah yang ikut menyelenggarakan Pilkada serentak pada bulan Februari demi mencegah adanya data pemilih tidak sah serta menjamin hak suara pemilih di daerah tersebut.*

2. *Terkait pembaruan Juklak, Juknis, serta SOP*

a) *Perlu diterbitkan petunjuk pelaksanaan dan petunjuk teknis serta SOP baru untuk pelayanan perekaman dan pencetakan KTP-elektronik merujuk kepada kebijakan Kementerian Dalam Negeri dalam mendorong percepatan penerbitan KTP-elektronik serta berbagai permasalahan yang muncul pada periode lonjakan data perekaman dan permintaan pencetakan KTP-elektronik hingga saat ini.*

b) *Juklak dan Juknis serta SOP yang baru minimal mengatur secara lengkap, jelas dan tegas mengenai:*

*i. Prosedur, persyaratan, waktu, biaya, dsb. Sebagaimana diatur dalam Undang-undang No. 25 Tahun 2009 tentang Pelayanan Publik;*

*ii. Sistem layanan antrian;*

*iii. Layanan informasi terintegrasi yang mudah dipergunakan dan diakses publik;*

*iv. Proses pengajuan blangko;*

*v. Mekanisme pengaduan;*

*vi. Pelayanan dengan kebijakan afirmasi dan tanpa diskriminasi bagi kelompok-kelompok khusus, seperti: kelompok difabel, kelompok minoritas agama/penghayat kepercayaan, tuna wisma, ibu hamil, dan lansia.*

c) Mengefektifkan unit kerja dan mekanisme pengaduan melalui sms center, kotak aduan atau aduan online via email pada setiap kantor pelayanan untuk merespon secara cepat keluhan/pengaduan masyarakat dan memantau permasalahan yang timbul dalam penyelenggaraan layanan perekaman dan pencetakan KTP-elektronik.

### 3. Terkait sarana-prasarana dan infrastruktur

a) Peremajaan alat perekaman dan pencetakan KTP-elektronik di daerah sehingga dapat kembali difungsikan untuk membantu mendorong percepatan layanan KTP-elektronik.

b) Memastikan pengadaan blangko KTP-elektronik berjalan sesuai jadwal dan kualitasnya terjamin (tidak mudah rusak, baik sebelum maupun sesudah pengisian data rekaman identitas penduduk).

c) Melakukan pendataan dan proyeksi, membuat prioritas, dan menghindari penundaan pemenuhan kebutuhan blangko KTP-elektronik di daerah, sehingga masyarakat yang sudah melakukan perekaman dapat segera memperoleh haknya secara adil.

d) Memberlakukan sistem layanan antrian sebagai bagian integral dalam alur pelayanan yang dapat mawadahi antusiasme publik dan memberikan kenyamanan bagi masyarakat pengguna layanan.

e) Menjamin ketersediaan daya dan aliran listrik yang cukup untuk operasionalisasi alat perekaman dan pencetakan KTP-elektronik melalui koordinasi dengan PLN ataupun mendorong daerah untuk pengadaan genset,

f) Menjamin ketersediaan sambungan jaringan internet yang stabil dan memadai melalui komunikasi dan koordinasi dengan antara lain Kementerian Komunikasi dan Informasi dan lembaga/instansi lainnya.

### 4. Terkait Pungutan Liar

a) Membuat loket khusus pelayanan KTP-elektroniknya yang disertai fasilitas dan sumber daya manusia yang cukup layak untuk memudahkan pengawasan petugas dan pendataan.

b) Menggalakkan penindakan dan pemberian sanksi tegas sesuai peraturan perundang-undangan terhadap para oknum yang berupaya mencari dan memanfaatkan celah sehingga dapat merugikan pengguna layanan maupun menguntungkan diri dan kelompoknya.

c) Bekerja sama secara aktif dengan Tim Sapu Bersih Pungli yang telah dibentuk oleh Presiden.

### 1. Related to program planning and budget

a) Planning for budgeting in a timely manner in terms of time allocation and financing needs of recording and printing of *KTP*-electronic, in order to avoid delays and obstacles in service and procurement by identifying and projection-based data to encourage the acceleration of integration of population data through the implementation of the National Single Identity System (*SIN* or *Sistem Identitas Tunggal*).

b) Cooperate with other ministries/government agencies, *POLRI*, *TNI*, as an effort to build national priority support for *KTP*-electronic programs

as well as parties that have the potential to make *KTP*-electronic data as a database for access to services, both in the context of socialization and providing convenience to the public.

c) Coordinate with the House of Representative, the Ministry of Finance, and the Regional Government to ensure the availability of budget support for the provision of services (ink, printers, electricity), the delivery or provision of necessary facilities and support in the form of rules or circulars to monitor and speed up services *KTP*-electronics.

d) Utilizing the remaining time in 2016 to prioritize resident registration, printing, and validation of population data for regions that participated in the election as well as in February to prevent unauthorized voter data and secure voting rights in the area.

2. Related to the *Juklak*, *Juknis*, as well as *SOP*

a) It is necessary to issue new implementation guidelines and technical guidance as well as a new *SOP* for electronic ID card recording and printing services referring to the Ministry of Home Affairs policy to encourage the acceleration of the issuance of electronic ID card and various problems that arise during the period of surge of data recording and printing request of electronic ID card up to currently.

b) The new *Juklak*, *Juknis* and *SOP* guidelines are set at a minimum, clearly and assertive on:

- i. Procedures, requirements, time, cost, etc. As regulated in Law no. 25 Year 2009 on Public Service;
- ii. Queue service system;
- iii. Integrated information service that is easily accessible and publicly accessible;
- iv. The process of filing a blank;
- v. Grievance mechanism;
- vi. Services with affirmative and non-discriminatory policies for special groups, such as: disabled groups, religious minorities/belief groups, homeless, pregnant women, and the elderly.

c) Making effective work units and complaints mechanisms via sms center, complaints box or online complaints via email at each service office to respond quickly to complaints and to monitor issues arising in the implementation of electronic identification and printing services.

3. Related to infrastructure

a) Rejuvenation of *KTP*-electronic recording and printing devices in the area so they can be re-functioned to help promote the acceleration of *KTP*-electronic services.

b) Ensure the procurement of *KTP* electronic runs on schedule and the quality is guaranteed (not easily damaged, both before and after recording data of resident identity).

c) Conducting data collection and projections, prioritizing, and avoiding delays in the fulfillment of *KTP*-electronic needs in the regions, so that the recording community can immediately obtain their rights fairly.

d) Implement queuing service system as integral in the service flow that can accommodate the public's enthusiasm and provide convenience for the service user community.

e) Ensure the availability of sufficient power and electricity for the operationalization of *KTP*-electronic recording and printing devices through coordination with State Electricity Company (*PLN*) or encouraging regions for the procurement of generators,

f) Guarantee the availability of a stable and adequate internet connection through communication and coordination with the Ministry of Communication and Information and other agencies.

#### 4. Related to Wild Charges

a) Create a special counter service of *KTP*-electronic which is accompanied by facilities and human resources sufficient to facilitate the supervision of officers and data collection.

b) Promote prosecution and sanction in accordance with laws and regulations against the actors who seek and exploit loopholes so as to harm service users and benefit themselves and groups.

c) Cooperate actively with the "*Tim Sapu Bersih*" which has been established by the President.

The final product from alleged as maladministration action is Recommendation. However, the role of *Ombudsman Republik Indonesia* as an institution that supervising the implementation of public services does not stop until the recommendation has been issued. The Ombudsman also supervise the implementation of the recommendation.

Assistant by *Ombudsman Republik Indonesia* authorized to supervise and follow-up is Team of Resolution and Monitoring. Team of Resoulution and Monitoring Team was formed in February 2017. In Team of Resolution and Monitoring there are 5 (five) human resources there. When compared to the human resources contained in other team of substance, team of resolution and monitoring have fewer resources. If the required human resources less will have an impact on the work. What to expect will not be optimal. The operation of this

*KTP*-electronic must be taken seriously. Due to *KTP*-electronic is a public identity in the state. The implications for a person's identity card are:

1. Can not create *SIM* (*Surat Izin Mengemudi*);
2. Can not register school;
3. Can not buy motorcycles and cars;
4. Can not buy train tickets, boats and airplanes;
5. Can not get married in *KUA* and Civil Registration;
6. Can not create *BPJS*;
7. Can not create passport;
8. Can not use the voting rights in the election;
9. Can not create a Bank account;
10. Can not take care of police file;
11. Have no legal identity;
12. Can not buy property/land.

Although the Ombudsman already issued the Recommendation to the Ministry of Internal Affairs related to the problem in the implementation of *KTP*-electronic services in Indonesia. But until now the problem of *KTP*-electronic service still can not be solved by the government. Evidently, until now people still have many difficulties to obtain good *KTP*-electronic service and until mid-year in 2017, Ombudsman still receive many reports/complaints about the implementation of *KTP*-electronic services. Can be seen at Ombudsman's website [www.ombudsman.go.id](http://www.ombudsman.go.id) on November 6th, 2017, Ombudsman has just released *KTP*-electronic service complaint form.

Based on this, *Ombudsman Republik Indonesia* will encourage the implementation of *KTP*-electronic service as the expectation towards a more qualified service. Therefore, the author raised the title “Optimalization of Supervision “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic service in Indonesia.

## **B. Research Questions**

Based on the description background above, then the research questions are as follows

1. How to optimalization of supervision “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic service in Indonesia?
2. What are the factors of supervision support and obstacle of *Ombudsman Republik Indonesia* in the implementation of *KTP*-electronic service in Indonesia?

## **C. Purposes of Research**

Based on the research questions raised, the purposes of research are as follows:

1. To describe and analyze the optimalization of supervision “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic service in Indonesia.

2. To describe the factors of supervision support and obstacle of *Ombudsman Republik Indonesia* in the implementation of *KTP*-electronic service in Indonesia.

#### **D. Research Contributions**

Based on the purpose of research, the researcher divides the contribution of academic research and practical that is, as follows:

##### 1. Academic

- a. The results of this study are expected to be used as a contribution of thought in knowing the optimalization of supervision of “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic service in Indonesia.
- b. As a discourse and reference for further research on optimalization of supervision “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic service in Indonesia.

##### 2. Practical

- a. As input and consideration about optimalization of supervision “*Ombudsman Republik Indonesia*” in the Implementation of *KTP*-electronic service in Indonesia.
- b. The results of this study is expected to be a picture of “*Ombudsman Republik Indonesia*” in reviewing the optimalization of supervision in the Implementation of *KTP*-electronic services in Indonesia.

## **E. Systematic of Writing**

### **CHAPTER I INTRODUCTION**

In this chapter contains the introduction that outlines why the author raises the problem, the formulation of problems related to the title of the thesis, research objectives, research contributions, and systematics of writing.

### **CHAPTER II LITERATURE REVIEW**

In this chapter contains the theories or opinions of experts/scientists and government regulations that have relevance also supports the writing of this thesis.

### **CHAPTER III RESEARCH METHODS**

In this chapter an explanation of the meaning is given this chapter describes the method used in the researcher is a qualitative approach that is descriptive. In this chapter also explained about the focus of research, research locations, data sources, data collection techniques, research instruments and data analysis used.

### **CHAPTER IV DISCUSSION**

In this chapter, presents data from the results of research and presents general data which is a description of the object of research prepared according to the needs of research and interpreted in accordance with the title of the study.

## CHAPTER V CLOSING

In this chapter, consists of two main sub-chapters namely conclusions and suggestions. The conclusion is the outline of the results of the discussion. Which are drawn on the basis of problems, theories and data analysis. Whereas suggestion is recommendation of writer based on mismatch theory with reality in field and expected to be consideration.



## CHAPTER II

### LITERATURE REVIEW

#### A. Public Administration

##### 1. The Meaning of Public Administration

In general, the administration in the narrow sense is the activities include notes-records, correspondence, small book-keeping, typing type, agenda, and the technical nature of administration. Administration in the broad sense is the whole process of cooperation between two or more people in achieving certain goals in a useful and effective manner.

According to Siagian (2002:2) administration is: "The whole process of cooperation between two or more people based on a certain bag of rationality to achieve the intended purpose." In addition there are also some administrative characteristics, as follows:

- a) The existence of a human group consisting of 2 (two) persons or more;
- b) Cooperation;
- c) The existence of business processes;
- d) Guidance, leadership, and supervision;
- e) Presence of purpose.

Understanding of public administration or state administration itself according to Pfiffner and Presthus in (1967) Syafei (2003:31) provide explanations about the state administration as follows:

- a. The State Administration shall include the implementation of government policies established by political representative bodies;
- b. State Administration can be defined as coordinating individual and group efforts to implement government policies. This mainly covers the day-to-day work of the government;
- c. In summary, the State Administration is a process that deals with government policies, the direction of proficiency and innumerable techniques, giving direction and purpose to a number of people.

Public or state administration can be said to be an attempt to institutionalize management practices to better suit the effectiveness, efficiency, and fulfillment needs of society. Which includes elements and dynamics as systems and procedures of rational and humane cooperation undertaken by the organizers namely the government in achieving public goals in accordance with the roles, functions, and responsibilities of each position and interests in the life of the state.

While Waldo in Pasolong (2008:8) defines public administration, namely:

"Public administration is the management and organization of human beings and their equipment to achieve government goals."

Meanwhile, Chander and Plano (1988) in Keban (2004:3) suggested that:

"Public Administration is the process by which resources and public personnel are organized and coordinated to formulate, implement and manage decisions in the public."

According to Gordon in Sjamsuddin (2006:16) argues that public administration is a process by which both organizations and individuals are involved in the implementation or enforcement of laws and regulations issued by

legislative, executive and judicial bodies. Thus, from some sense of public administration or the above countries can be concluded that public administration or state is a collaboration undertaken by a group of people or institutions in carrying out government duties to achieve government goals effectively and efficiently to meet public needs and the achievement of state life.

## **2. The Role of Public Administration**

The role of public administration in a country is vital. Cleveland (1993) in Keban (2008:15-16) explains that the role of public administration is vital in helping to empower society and create democracy. As Gray (1995) says in Pasolong (2011:18) the role of public administration in society as follows:

- a) Public administration plays a role in ensuring equitable distribution of national income distribution to poor communities;
- b) Public administration protects the rights of the people to the ownership of property, and ensures the freedom of the public to exercise responsibility for themselves in the fields of health, education and services for the elderly.
- c) Public administration plays a role in preserving the varying traditions of society's tradition from generation to generation, and provides assurance and support of resources so that they can grow and evolve according to the changing demands of the times, and can continue to live together peacefully, harmonious and in harmony with other cultures in the environment.

Public administration held in a country is held to provide public services and various benefits that can be felt by society both materially and non-material after the government improves professionalism, applies the technique of

effectiveness and efficiency well and runs part of the responsibility of public administration.

As stated by Keban (2008:16-17) public administration is a field where government officials or executives perform jobs related to the public sector, especially the provision of services for the public interest, the role of public administration will determine the stability, resilience and welfare of a country . Therefore, public administration plays an important role in public trust in government and bureaucracy.

From the above explanations, it can be concluded that the existence of public administration is vital for the life of a state and ensures the public interest is achieved through a provision of good, professional, effective and efficient service of a government and bureaucracy in carrying out the duties and functions of public administration. Public services will not work if there is no public administration.

## **B. Theory of Optimalization**

### **1. The Meaning of Optimalization**

Optimalization is the result achieved in accordance with the desire, so the optimalization is the achievement of results according to expectations effectively and efficiently. Optimalization comes from the optimum word which means best, highest. Optimalization is also interpreted as a measure where all needs can be met from the activities undertaken. According Winardi (1996:363) optimalization is the size that causes the achievement of goals. So, can be include that is the

search for the best value available from some of the functions assigned to a context. Optimization is a process, a way and action (activity) to find the best solution in some problems, which best fits certain criteria..

## **C. Theory of Supervision**

### **1. The Meaning of Supervision**

Supervision is generally done completely to avoid the possibility of acts of abuse or deviation of the objectives to be achieved. The presence of supervision, is expected to help implement the programs or policies that have been set to achieve goals that have been planned effectively and efficiently.

Because, basically, human beings have wrong or erroneous nature, so the person in an organization need to be supervised, but not to seek fault then judge and punish, but to educate and guide him. As Fayol said in Harahap (2011:10) suggests that supervision is an attempt to check everything happening in accordance with the established plan, the issued order, and the principle adopted is also intended to know the weakness and mistakes to avoid the occurrence in the future.

According to Danamik in Ulum, (2009:129) one aspect of supervision activities is the implementation of an examination which is generally interpreted as a systematic process to identify problems, analysis and evaluation conducted independently and constructively and by giving opinion or if deemed necessary recommendation.

Basically, supervision is very essential in the life of an organization or institution to keep its activities from deviating from the established plan or rules. The activities of an organization or any institution will be less run in accordance with what is expected if there is no supervision. The existence of such supervision, it will be known advantages and disadvantages in the implementation of management.

In fact, through the supervision will create an activity that is closely related to the determination or evaluation of the extent to which the implementation of work has been implemented. Due to the presence of supervision, can detect whether the program or policy is executed and has to what extent deviations that occur in the implementation of such work.

When it talking about supervision, supervision is actually part of the management function. Supervision is considered as a form of examination and control of the top to the lower management. Where, a manager tries to direct and assign. However, every manager must exercise supervision in order to ensure that what is done by the bottom (low management) in accordance with the desired.

The results in this supervision should be able to show up where there are matches, discrepancies and find the cause of the incompatibility that arises. In the context of public management characterized by good governance. Supervision is an important aspect to keep government functions running properly. In this context, supervision becomes as important as the implementation of good governance itself.

The objective of supervision is the finding that states the occurrence of deviations from the plan or target. Meanwhile, the actions that can be done are:

- a) Directing or recommending improvements;
- b) Suggest that there be wastage;
- c) Optimization the work to achieve the objectives of the plan.

## **2. The Function of Supervision**

The function of supervision is to identify the factors that inhibit an activity, as well as to take the necessary corrective actions to achieve the organization's objectives. It can be concluded that a supervision function is needed to ensure that what has been planned and coordinated goes accordingly or not. If it is not working properly, then the supervision function also conducts a process of correcting ongoing activities in order to stay ahead of what has been planned. The function of the supervision itself is:

- a) Thicken the sense of responsibility of employees who are entrusted with duties and authority in the execution of work;
- b) Educate employees to carry out their work in accordance with established procedures;
- c) Prevent the occurrence of negligence, weaknesses and irregularities in order to avoid undesirable losses;
- d) Fix errors and misappropriation so that the implementation of the work does not experience obstacles and waste-borosan.

With the supervision will be known advantages and disadvantages in the implementation of management, from the beginning, during the process and the end of implementation in management.

### **3. Type of Supervision**

In the process, according to Handyaningrat (1986) in Siagian (2008:144-146) supervision is divided into four types, namely internal control, external control, preventive supervision and repressive control. Both internal and external supervision are carried out by the supervision apparatus/unit to collect all data and information. What distinguishes is internal controls formed within the organization itself, but outside control is formed outside the organization acting on behalf of the superior of the organization's leadership.

Meanwhile, preventive supervision is more to prevent. So that it can be interpreted preventive supervision done to prevent something the possibility of occurrence of deviations of the implementation of plans or programs that have been set previously. Preventive supervision can be undertaken with the following efforts:

- a. Determine the rules relating to the system procedures, relationships and working procedures;
- b. Make guidelines or manuals in accordance with established rules;
- c. Determining the position, duties, and authorities and responsibilities;
- d. Organizing all sorts, employee placement and division of work;
- e. Define coordination, reporting and inspection systems; and
- f. Establish sanctions against officials who deviate from established rules.

While repressive supervision is more after the activity has been implemented. So that it can be interpreted repressive supervision done to know whether the plan or program that has been done following the provisions and regulations that have been established such as comparative, verification and inspective. Comparative, comparing the results of the execution of work to the previously decided plan. Verify, conduct an assessment of the results of its implementation and study the results of the implementation report to find out the progress of the implementation. Inspective, checking the reports made by the members by providing all instructions in the place of events in the framework of improvement and refinement of work intended to provide related explanations. Repressive control is usually done in the form of:

- a. Far supervision, supervision conducted by testing and research on letters of liability accompanied by evidence on the activities undertaken.
- b. Close supervision, supervision conducted at the place of activity or place of administration administration.

Based on its nature, the opinions of Situmorang and Juhir (1994) in Siagian (2008:139-140) supervision can be divided into two, namely indirect and indirect supervision. Here is the explanation:

- a. Direct supervision is the supervision carried out on the activities or the implementation of the work being undertaken. Conducted by way of coming to the spot (on the spot) the implementation of work on the object being supervised. Sometimes decisions will be made on the spot where necessary. As a result of this direct supervision, sometimes the leadership

does not have sufficient time to exercise this supervision due to the complexity of the tasks faced, especially in large organizations.

- b. Indirect supervision is supervision conducted without going to the place of the activity, the execution of work or the object being supervised done from a distance that is behind the desk. This supervision can be done through reports submitted both in writing and orally. The downside of indirect supervision is that the subordinates can only report positive things that are suspected to please their boss.

Based on the opinion of the experts above, the determination of the type of supervision made by an organization/institution depends on the conditions and situations that will occur, or that is happening/developing in each organization/institution. Determination of this type of supervision in order to make improvements to the actions that have been done or for the possibility of irregularities that will occur no worse impact, in addition to the organization/institution can determine the future actions that must be done within the organization/institution.

#### **4. Characteristics of Supervision**

To bring the expected results, the leadership of an organization must know the characteristics of a supervision process. And more important is trying to meet these characteristics in the implementation. Siagian (2008:10) suggests features of a good supervision as follows:

- a. Supervision must be fact finding which means supervision must find the facts of how the tasks in the organization are done.

- b. Supervision must be preventive which means it must prevent the occurrence of deviation and misuse of the original plan.
- c. Supervision is just a tool to improve efficiency and should not be enacted as a goal.
- d. Supervision is directed at the present time which means that supervision can only be directed against activities that are currently/are being implemented.
- e. Supervision is only a means of administration and management, then the implementation of supervision should facilitate the achievement of objectives.
- f. The supervision process should be efficient.
- g. Supervision must be guiding in order for the implementer to improve his ability to carry out the task specified for him.

## **5. Principles of Supervision**

In conducting supervision, there are supervision principles put forward by *Lembaga Administrasi Negara Republik Indonesia* are as follows :

- a. Objective and generate facts;

Supervision must be objective, which means it can be believed its validity and can find facts about the implementation of the work and various factors that influence it.

- b. Supervision is guided by the prevailing policies;

In order to be able to know and assess whether there are errors or irregularities, the supervision should be prejudiced from the leadership's sincerity

contained in: (a) the stated objectives and objectives; (b) a predetermined work plan; (c) work guidelines outlined; and (d) the established rules.

c. Preventive;

Supervision should be prevention as early as possible the errors of developing and recurring.

d. Supervision is not a goal;

Supervision should not be an objective but a means to ensure and improve the efficiency and effectiveness of achieving organizational goals.

e. Efficiency;

Supervision should be done efficiently, not inhibit the efficiency of the implementation of the work.

f. Find what went wrong;

Supervision should be primarily aimed at finding what is wrong, the cause of the error and how the nature of the error.

g. Follow-up;

Supervision findings should be followed by follow up.

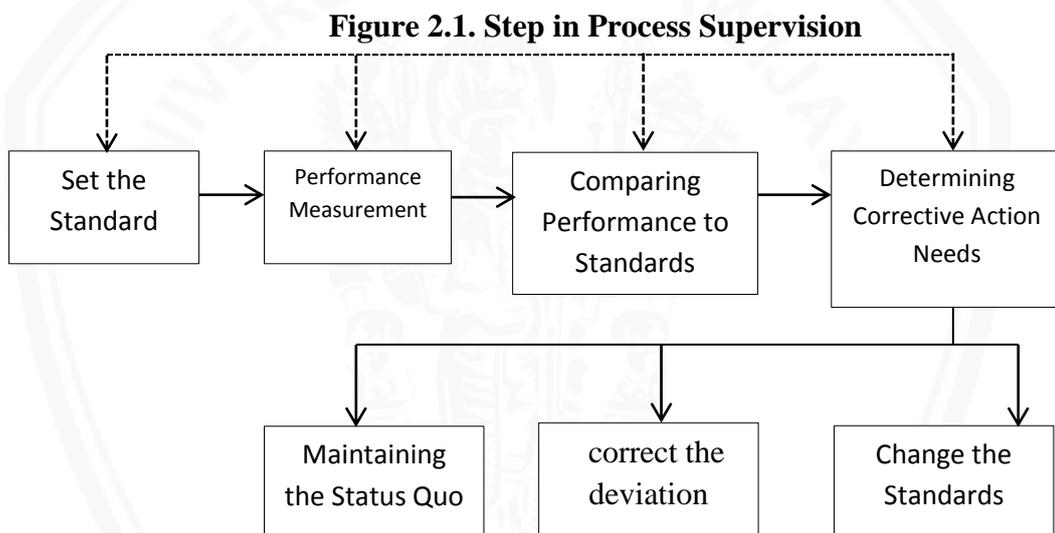
To achieve an effective supervision, According Siagian (2007:130) supervision will be effective if it has the following principles as follows:

1. Supervision should reflect the nature and range of activities, ie supervision techniques should be appropriate, among others, on determining who is monitoring the information and what activities are being targeted by such supervision;
2. Supervision should promptly provide clues about possible deviations and plans;
3. Supervision do periodically. Effective supervision is done at least once a week or month, so that the task given in accordance with the purpose set;
4. Objectivity in supervision;

5. Supervision must take into account the basic pattern of organization, such as division of tasks, delegation of authority, pattern of responsibility of communication and information lines;
6. Efficiency of supervision implementation;
7. Understanding of monitoring system by all parties involved;
8. Supervision looks for what is wrong;
9. Supervision must be guiding.

## 6. Process of Supervision

Process of supervision in organization has 4 (four) supervision system fundamental steps in each process (Griffin, 2004:167). These steps are illustrated in Figure 2.1 as follows:



Source: Griffin (2004:167)

Each of these steps will be explained as follows:

### 1. Setting Standards.

Control standard is the target that becomes the benchmark comparison for future performance. Standards established for control purposes shall be expressed in a measurable reference. The supervision strategy should be consistent with the organizational goals. In standard setting, identification of performance indicators

is required. Performance indicators are performance measures that provide information that is directly related to the object being watched.

Standards for the work of employees are generally contained in the overall plan as well as part plan. In order for the standard to be properly recognized by the employee, the standard should be presented and explained to the employee so that the employee will understand the objectives that he or she really wants to achieve. Setting the standards to measure performance compare performance to standards determining the need for corrective action maintaining the status quo to correct the deviation or changing the standard.

## 2. Performance Measurement

Performance is a constant and continuous activity for most organizations. In order for supervision to be effective, performance measures must be valid. Employee performance is usually measured on the basis of quantity and quality of output, but for many jobs, performance measurement should be more detailed.

## 3. Comparing Performance to Standards

This stage is intended by comparing the results of employee work (actual result) with a predetermined standard. Employee job results can be found through written reports prepared by employees, both routine reports and special reports. In addition, the boss can also directly visit the employee to ask directly the results of work or employees are called to deliver the report orally.

Performance can be in a position higher than, lower than, or equal to the standard. In some companies, comparisons can be done easily, for example by setting the standard of selling their products to the first place in the market.

This standard is clear and relatively easy to calculate to determine whether the standard has been achieved or not. However in some cases this comparison can be done in more detail. If performance is lower than the standard, then how much of this deviation can be tolerated before corrective action is taken.

#### 4. Determining Corrective Action Needs

Decisions regarding corrective action rely heavily on analytical and diagnostic skills of managers. After comparing to the field, managers can choose one of the actions: maintain the status quo (do nothing), correct the deviation, or change the standard. Corrective action is defined as the action taken to adapt the deviant real work results to conform to pre-defined standards or plans.

To carry out corrective actions, it must be known what causes deviations. There are several causes that may cause deviations, namely:

1. Lack of production factors;
2. Not good leaders in organizing human resources and other resources within the organization;
3. Apathetic employee attitudes and so on.

Therefore, in the process of supervision the need for a report that can adjust the forms of irregularities towards the achievement of predetermined objectives.

#### 7. Targeting of Supervision

Each supervision has a goal to ensure that the supervision is effective and efficient. Targets to be achieved in a supervision include:

- a. The assigned tasks match the pattern outlined in the plan.

- b. Organizational structure and hierarchy according to the pattern specified in the plan.
- c. A person is placed according to his / her talent, expertise and education and experience and that the development of subordinate skills is carried out in a planned, systematic and continuous manner.
- d. Work systems and procedures do not deviate from the lines of wisdom already in the plan.
- e. That the division of duty of authority and responsibility is based on objective and rational considerations and not on the basis of personal likes and personal dislike.
- f. That there is no impediment and misappropriation in the use of power and position.

In the implementation of public services from the government, supervision aims to support the smooth and precise implementation of the implementation of public service and government. The targets are:

- a. In order to carry out the duties of the administration of public services and the government shall be conducted in an orderly manner based on prevailing laws and regulations and on the basis of the fairness of public service and government administration in order to achieve the best, effective and efficient use;
- b. In order for the implementation of public service and government administration is carried out in accordance with government plans and

programs and prevailing laws and regulations so as to achieve the targets set.

- c. Based on the elaboration of the objectives of supervision, it can be shown that supervision is a very important factor in the implementation of public service and government to achieve the vision and mission that has been established and not out of line.

### **8. Indicators of Supervision**

According to Rachman (2001:23), one indicator of success of a government organization in achieving its goals is largely determined by the success of supervision. If supervision goes well then supervision is the most important element in determining the success of a program. The success of the supervision program itself can be seen from various indicators as follows:

- a. Supervision have technical in it. Those technical include direct supervision and indirect supervision.
- b. Followed by real follow-up, it means the results of supervision have output and the output should supervise periodically.
- c. With supervision it can decreasing the public demand for government, it can be seen from:
  - 1) Increase the discipline, achievement and achievement of task implementation objectives:
  - 2) Reduce the misuse of authority
  - 3) Reduced leaks, wastage and illegal charges include:

- a) The quality and quantity of cases of deviation, misuse, leakage, waste can be reduced as well as functional supervision reports and other supervision reports;
- b) Reduced error rate in task execution

#### ***D. Ombudsman Republik Indonesia***

##### ***1. Ombudsman Republik Indonesia***

Thoughts about the need for Ombudsman institutions in Indonesia originally appeared long ago. Ombudsman institution serves to examine the acts of the instrument of state administration, as well as to accommodate public complaints against the actions of the instrument of state administration so as to reduce the acts of state administration that can cause harm to society, and provide information about the law of state administration to the public.

The idea of the need to establish an Ombudsman institution came from a non-governmental organization, ICW (Indonesia Corruption Watch). ICW firmly states that the formation of the Ombudsman is inevitable given the pressure of society and democratic demands. The establishment of this Ombudsman institution is necessary to protect the people from political and governmental instersets. (Asmara, 2005:12)

The Ombudsman in Indonesia was first established on March 20th, 2000 based on Presidential Decree No. 44 of 2000. At that time the Ombudsman institution was still named the *Komisi Nasional Ombudsman*. After going through

a very long process in two periods of government and two periods of change of members of the House of Representatives (*DPR*), then on October 7th, 2008 approved by Law No. 37 of 2008 about *Ombudsman Republik Indonesia* approved by President Susilo Bambang Yudhoyono at that time.

The Ombudsman act provides assertion that the Ombudsman is a state institution, the recommendations issued by the Ombudsman shall be acted upon and having the power. The Ombudsman is also given the right of immunity, and can not be denied during his duties and authorities. Super Power is also given to the Ombudsman, so for those reporters who do not properly fulfill the vocation with a valid reason, it can be summoned by force.

## **2. Objectives of Ombudsman**

Article 4 of Law Number 37 Year 2008 regarding the *Ombudsman Republik Indonesia* declares that the *Ombudsman Republik Indonesia* aims:

- a) Realizing a democratic, just and prosperous legal state;
- b) Encouraging the implementation of the state in all fields so that every citizen and citizen will obtain justice, a sense of security and better prosperity;
- c) Improving the quality of state services in all fields so that every citizen and citizen will gain equity, security and better welfare;
- d) To assist in the creation and enhancement of efforts for the eradication and prevention of maladministration, discriminatory practices, and corruption, collusion and nepotism (*KKN*);
- e) Improving the culture of national law, the awareness of society law, and the rule of law that is related to truth and justice.

### **3. Values of Ombudsman**

The Ombudsman values include:

- a) Sufficiency, in carrying out its duties Ombudsman not only fixated on the normative rules of law alone, but also consider the values that are developing in society;
- b) Justice, any action of the Ombudsman shall reflect justice for any party whose report is being handled by the Ombudsman;
- c) Non-discrimination, in the service of the Ombudsman shall not use racial, ethnic, religious, religious, political, and other prejudices;
- d) impartial, in taking judgment and use of authority, the Ombudsmann should behave in the middle and treat the parties equally;
- e) Accountability, any activity undertaken by the Ombudsman may be held accountable under applicable regulations;
- f) Balance, in handling the report and exercising its authority should be in a balanced position among the interested parties;
- g) Openness, in carrying out its duties does not cover information that shaursnya according to the provisions can be made publication;
- h) Confidentiality, in carrying out its duties Ombudsman still maintain the confidentiality of information obtained from various parties that have nothing to do with report handlers.

### **4. Membership of Ombudsman**

*Ombudsman Republik Indonesia* shall consist of 1 (one) Head concurrently as member, 1 (one) Vice Head concurrently member and 7 (seven) members. The Ombudsman is assisted by the Assistant Ombudsman in carrying out his duties and authorities. The Ombudsman's Assistant is appointed and dismissed by the Head of Ombudsman under the approval of a meeting of members of the Ombudsman. In addition to assisted by the Assistant Ombudsman, the Ombudsman is also assisted by the Secretariat headed by the Secretariat General.

The Head, Vice Head, and Member of Ombudsman shall be elected by the People's Legislative Assembly on the basis of the candidate proposed by the President. Before applying for a Member of Ombudsman to the House of Representatives, the President shall establish a selection committee for the candidate of the Ombudsman. The selection committee consists of government elements, legal practitioners, academics, and society members.

##### **5. Recommendation of Ombudsman**

The final product of *Ombudsman Republik Indonesia* in the settlement of maladministration is a recommendation. Article 1 Number 7 of the Law Number 37 Year 2008 regarding *Ombudsman Republik Indonesia*, which is meant by the recommendation is the conclusion, opinion and suggestion prepared based on the result of investigation of Ombudsman, to the reported supervisor to be implemented and followed up in order to improve the quality of good administration administration.

The recommendation made by the Ombudsman shall at least include:

- 1) A brief description of the report;
- 2) Description of result of examination;
- 3) Laws and/or general principles of good governance being violated;
- 4) Proven elements of maladministration;
- 5) Conclusions and opinions of the Ombudsman on matters that need to be carried out by the reported and/or supervisors reported.

Recommendation of Ombudsman has the legal force that the recommendation of the Ombudsman shall be executed by the reported and the reported supervisor, the reported superiors shall submit a report to the Ombudsman in the implementation of the recommendations that have been made with the result of the examination to be made within a period of no later than 60 days from the date of receipt of the recommendation. The Ombudsman has the authority to request information from the complainant or his supervisor and conduct field checks to ensure the implementation of the recommendation, if the reported and reported superiors do not implement or only implement some of the recommendations for reasons not acceptable to the Ombudsman, the Ombudsman may publish the reported boss and submit reports to the House of Representatives and the President.

The Ombudsman may make several recommendations, namely:

- a) Assisting the settlement of the issue of the complainant;
- b) Provision of sanctions;
- c) Prevent maladministration;
- d) Changing process or system.

So far the only ombudsman's authority that has not been delegated to the Ombudsman's representative office is only a recommendation. The representative ombudsman only does the draft, which is the proposal for the Ombudsman of the Republic of Indonesia to make recommendations. In this case, the head of the Ombudsman's representative has obtained mutant and mutandis authority from the Ombudsman, as well as other maladministration settlement procedures.

Recommendations can be interpreted as suggestions. However, it can be said also as advice. The recommendation relationship with the duties and authority of the Ombudsman is as a suggestion or advice to a government official or state administration of what is intended to improve the service complained of by the society, whether it is case-by-case or systemic. Because, the Ombudsman's recommendation is closely related to its duties as a supervisory public service established under the law to improve the implementation of good governance and create a conducive environment for the services of a just law, including eradication and prevent the behavior of Corruption, Collusion and Nepotism (Sujata and Surahman, 2002:202).

## **E. Public Service**

### **1. The Meaning of Public Service**

Service is essentially an attempt to meet the needs of others by serving a customer through an activity activities carried out by a person, group or organization either directly or indirectly. Public service becomes a focus of discipline study of Public Administration Sciences in Indonesia which is still a

problem that needs to get comprehensive attention and completion. This is marked by the rise of public demands and dissatisfaction with the public services they receive.

The development of globalization of information technology brings all institutions, agencies, agencies and government offices towards changes in attitudes about how to deliver effective and efficient services. Public services must be able to meet the needs masyarakat, because the existence of the state (in essence the state in this case the government/bureaucracy) established by the public (society) of course with the aim to improve the welfare of society. So it can be concluded that the public service is the fulfillment of wishes and needs of society will by the state organizers.

Service to the society is one of the important functions of the government apparatus and is very broad because it involves the fulfillment of the various needs of the various interests and needs faced. Therefore service is the process of fulfillment through the activities of others directly.

"The government does not just escape its responsibility as a servant to the society. The government should be able to provide quality public services to the public. Public service is any activity that the government implements for a number of people who have every profitable activity in a collection or unity, and offer satisfaction even if the result is not tied to a product physically. "(Sinambela, 2006:5)

In accordance with some explanations of public services according to experts, public service can be concluded that an activity or giving done by public service providers such as government or an institution, service, governmental agencies as an effort to meet the needs of society or recipients of public services either in the form of services and products . Because basically, public service

contains the meaning of an activity that provides convenience to the society in order to meet the interests in accordance with the needs of recipients of services baik goods or services based on established rules in order to satisfy the recipients of services. Assuming that public services will continue to increase in terms of both quantity and quality, is proportional to the increase in public welfare, the ever-increasing population of the population, and increasingly advanced technology and environmental change.

Therefore, if we look at, the figure of the state servants and public servants must have the required qualifications and professional skills are reliable and be adaptive to the development of the public in reducing the gap that occurred. Where in responding to various demands of society, the readiness and ability of public bureaucracy increasingly need to be improved. So that the gap between the expectations and demands of society is not too high on the one hand and on the other hand the ability of apparatus in the implementation of public service function. This is reasonable considering that in an organization, the fulfillment and provision of services to the society is a demand. Quality of service and customer satisfaction need to be the main concern of the government, considering that both have a significant relationship and influence on the continuity and development of the vision and mission of the organization.

## **2. Type of Public Service**

Type of public service by Moenir (2006:87) there are three kinds of public services are as follows:

- a. Service with oral

This service is usually performed by public relations officers or called as in Indonesia “*Humas*”, information services and other areas whose job is to provide explanations or descriptions to anyone in need on condition that the service provider must fulfill, that is, the problems included in the the field of duty, able to provide an explanation of what needs to be smooth, brief but clear enough that satisfying for those who want to get clarity about something, behave politely, though in a state of quiet do not chat and joking with friends because it gives the impression that not discipline and neglect of duty.

b. Service through writing

Basically the service through writing is very efficient, especially in terms of number and in terms of its role and also the long distance service is very good because of the cost factor and speed factor, both in processing the problem and in the process of solving it. Writing service consists of two groups, namely;

- 1) Services in the form of instructions, information and the like that are shown to interested persons.
- 2) Service in the form of a written reaction or solicitation, report, notification and so on.

c. Service through deeds

In general, services in the form of deeds of 70% -80% are done by middle and lower level officers therefore the skill and skill factor of the officer is crucial to the result of deed or work. Public services basically satisfy the needs of society provided by the government, therefore Moenir argues that the government in providing the best public service to the public, can be done by:

- 1) Ease in the management of interests;
- 2) Obtain services reasonably;
- 3) Getting the same treatment regardless of status;
- 4) Obtain fair and honest treatment.

### **3. The Purpose of Public Service**

In general, the provision of public services by the government apparatus to the public is actually an implication of the functioning of the state apparatus as a public servant. So the benefits of public services means the fulfillment of public interest by the apparatus in accordance with its rights. The purpose of public service according to Juliantara, (2005:10) is satisfactory or in accordance with the wishes of society/customers in general. Further Juliantara said, the purpose of public services are as follows:

1. Determining the service provided, what kind of it;
2. Treat service users, as customers;
3. Trying to satisfy service users, as they wish;
4. Seeking the best and the best way of delivering services;
5. Provide ways, if the service user no choice.

### **4. The Principles in Public Service Implementation**

State Administration Law recognizes the existence of general principles of good state administration. These principles are very important because to prevent and prevent the people from all acts of state administration that can harm the people. According to Hadjon (2008:271) the principles are:

- a) The principle of equality, namely that in all the same things all should be treated equally;
- b) The principle of trust, the principle which requires that the body of government be bound by its promise to fulfill all the promises, statements and rules of wisdom issued by it;
- c) The principle of legal certainty, materially, that prevents the government body from withdrawing its provisions or altering it for any loss of interest. Formally, the burdensome provisions and the relevant provisions of the profitable should be arranged in clear words;
- d) The principle of thoroughness, a decision that must be carefully prepared and taken;
- e) The principle of reasoning, a decision must be supported by the grounds on which it is based.

Public service management is a management side that governs and controls the service process so that the mechanism of service activities can run in an orderly, smooth, precise target and satisfactory for all parties served. The basic principles of public service to the community according to Islamic in Suryono (2001:54) are:

a. Accessibility Principle

Each service provided should be easily accessible by the users of the service in terms of time, fund or place;

b. Continuity Principle

Each type of service provided must be continuously available to the community in need with certainty and clarity of the provisions applicable to the service process;

c. Principle of Technicality

Each type of service process service must be handled by officers who truly understand technically the service based on the clarity and stability of system, procedures and instruments of service;

d. Principle of Profitability

The service process should ultimately be implemented effectively and efficiently and provide economic benefits as a government as well as the wider community;

e. Principles of Accountability

The product process and the quality of service that has been given must be able to be accountable to the community because the government apparatus is essentially in charge of providing the best service.

In addition, the principles for improving quality in public services can be seen from internal and external factors. Internal factors in public service.

While external factors can dipahami degan way:

1. Attitude recognizes customer dynamics of what they need and what they want;
2. Develop a framework approach towards achieving customer satisfaction;
3. Meeting the objectives of the business entity in order to achieve customer satisfaction. (Husain, 2001:3)

These external factors need to be responded by every top manager, both public and business organizations by integrating various elements or elements to produce satisfactory service products. Customers, which in essence is necessary to improve the performance of the organization oriented to the provision of excellent public services (excellent public services). On internal factors, the efforts to provide quality service to customers is directly related to mechanisms, systems and procedures, in providing services, therefore required techniques / ways at the level of operations.

#### **5. The Factors are Influencing of Public Service Quality**

In his writings Moenir, (2006:88) mentions there are 6 (six) factors supporting public services that affect each other and will jointly realize ten principles of public services are regulated in the Decree of the State Minister for the Empowerment of the State Apparatus Number 63/KEP/M.PAN/7/2003, namely:

- a) Simplicity of procedure, public service is not complicated, easy to understand, and easy to implement;
- b) Clarity, including:
  - 1) Technical and administrative requirements of public services;
  - 2) Work units/officials authorized and responsible in providing services and settlement of complaints/problems/disputes in the implementation of public services;
  - 3) Details of public service fees and payment procedures.

- c) Certainty of execution time, public service can be completed within the specified time frame;
- d) Accuracy of public service products is received correctly, accurately and legitimately;
- e) The security of public service processes and products provides a sense of security and legal certainty;
- f) The responsibilities of the chairman, the providers of public services or appointed officials responsible for the delivery of services and the settlement of complaints/problems in the implementation of public services;
- g) Facilities and infrastructure, adequate facilities and infrastructure, work equipment and other supporting facilities including provision of technology, telecommunications and informatics (teletathic);
- h) Ease of access to places and locations, facilities and infrastructure adequate services, easily accessible by the society and can take advantage of telecommunications and information technology;
- i) Discipline, courtesy and friendliness;
- j) The service provider must be disciplined, polite and courteous, friendly, and provide service with sincerity;
- k) The comfort of the service environment must be orderly, organized, provided a comfortable waiting room, clean, tidy, beautiful and healthy environment, and equipped with support facilities such as parking, toilets, places of worship and others.

## **6. Indicators of Public Service**

Commitment of good service in the effort to maintain and to improve quality of service quality, hence a government institution or public organization must make measurement to quality of service which have presented. The purpose of public service is basically satisfy the society, to reach the satisfaction can be seen in indicator of quality of public service which is reflected from:

1. Transparency,
2. Accountability,
3. Conditional,
4. Participatory,
5. Equal rights, and
6. The balance of rights and obligations. (Sinambela, 2006:6)

Transparency is a service that is open, easy and accessible to all parties in need and provided adequately and easily understood. Transparency includes the openness of public service delivery processes, understandable service rules and procedures, and the ease of obtaining information on various aspects of public service delivery.

Accountability is a service that can be accounted for in accordance with legislation. Public services through the website can be accounted for. Accountability can be seen from the performance of public services, the cost of public services and products of public services.

Conditional is a service appropriate to the condition and ability of the giver and the recipient of the service. The ability of the government in serving the society in accordance with the condition of the giver and the recipient of the service. The ability of the government in facing the constraints that occur in services provided to the community. Conditionals include efficient and effective.

Participatory is a service that can encourage public participation in the

implementation of public services by taking into account the aspirations, needs, and expectations of the community. Participatory can be seen from the identification of the role of the community, the identification of methods that can be used to increase participation, matching the instruments of participation in accordance with the role of the community in the process of administering public services, choosing the instruments of participation to be used, and implementing the chosen strategy.

Equality of rights is a service that does not discriminate in terms of any aspect, especially tribe, race, religion, class, social status, and others. Services provided by the government to the community by not disparaging social status and others. Equal rights can be seen from firmness and firmness. The balance of rights and obligations is a service that considers the justice aspect between the giver and the recipient of the public service. The services provided by the government to the community can create a balance of the rights and obligations of the apparatus and service recipients. The balance of rights and duties includes justice and honesty.

The quality of public services can be reflected in the presence of transparency or openness and is easily accessible to all communities. People can feel access to adequate and easy to understand services. Excellent service as well as services that can be accounted for in accordance with applicable regulations, the regulation can protect the community as a trust value gained by the community. Services provided to the community, services in accordance with the ability to provide services to the recipient of the service.

Services that are provided to the community must be in accordance with the wishes or aspirations of the community and in accordance with the expectations desired by the community. Service is also given to all levels of society, regardless of status or sex, so that a fair service will be created by the recipient of the service. Service as a process of fulfilling needs through the activities of others directly, is a concept that is always actual in various aspects of the institution. Public service must be responsive to the various public interests and values. This implies that the character and value contained in the public service must contain the preference of values that exist within society.

Public services are designed and organized to meet the needs of the service user community. However, the perception between the service user community and the bureaucracy apparatus regarding the quality of efficient, transparent, fair and fair public services has not been successfully realized. The public service is theoretically defined according to Mahmudi as follows:

"Public service is any service activities undertaken by public service providers as an effort to meet the needs of the public and implementing the provisions of legislation". (Mahmudi, 2005:213).

Based on the above opinion in the implementation of public services, the government apparatus is responsible for providing the best service to the community in order to create community welfare. The public is entitled to the best service from the government because the community has provided funds in the form of tax payments, levies and various other charges. A good public service process involves providing the right and right services, providing human resources and other resources, having the desire to serve consumers quickly,

paying attention to ethics and morale in providing services, and having a willingness level to know the wants and needs of consumers/society.



## CHAPTER III

### RESEARCH METHODS

#### A. Type of Research

In this research, the author use the method of research type is qualitative approach with descriptive design. This method and design is chosen because in accordance with the results that researcher will get, namely researcher able to describe the form of words with long narratives. The tendency to use this research method because it is considered very relevant to the material of thesis writing. So it can be easier for author to obtain objective data in order to know and understand the events researched.

According to Bodgan and Biklen (1998) in Sugiyono (2005:9), in general, qualitative approach has the following characteristics:

1. Conducted under natural conditions, direct to the data source and the researcher is the key instrument;
2. Qualitative research is more descriptive. The collected data is in the form of words or images, so it does not emphasize the numbers;
3. Qualitative research puts more emphasis on processes than products or outcomes;
4. Qualitative research performs data analysis inductively;
5. Qualitative research emphasizes more meaning (improved data are observed).

## B. Focus of Research

Focus of the research is concentration concentration on the purpose of research that is being done. According to Moleong (2005:97), the focus of research is basically the main issue that comes from the experience of the researcher or through the knowledge obtained through scientific literature or other literature. The focus of research is the initial stage for the implementation of research, thus the researchers will obtain a general description of the object of research to be studied.

Therefore, focus of research is a very important instrument in every research because it will determine the subject matter that will be discussed by providing a general overview of what will be examined. Through the focus of this research, an information in the field can be selected in accordance with the context of the problem, so that the research questions and the focus of research are interrelated because the research questions used as a reference determination in the focus of research. Based on research question that have been described above, the focus of research drawn as follows:

1. Optimalization of supervision “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic services in Indonesia., which taken in indicators of supervision according to Rachman (2001:23) as follows:

- a) Technical of Supervision;.
  - a. Direct Supervision
  - b. Indirect Supervision
- b) Supervision followed real follow-up;.

c) Decreasing level the public demand for government.

2. The factors of supervision supporting and obstacle of *Ombudsman Republik Indonesia* in the implementation of *KTP*-electronic services in Indonesia.

### C. Location of Research

The location of research is a place that determined by the researcher to conduct. Based on the relevance to the focus of research that has been set. The location of this research is carried out in the *Ombudsman Republik Indonesia* on the Street of HR Rasuna Said No.Kav. C19, RT.1/RW.5, *Karet Kuningan*, Setiabudi Sub-district, South Jakarta City. In this case, *Ombudsman Republik Indonesia* in Jakarta is a central institution from 33 representative of Ombudsman to supervise the public service implementation in Indonesia.

The reason why the researcher chose the location because the *Ombudsman Republik Indonesia* is one and only an institution that supervise the implementation of public services in Indonesia, one of which the implementation of services in *KTP*-electronic that became the object in this study. Location of research was based on the consideration that the location of research probably allows to obtain the data or information that is accurate and relevant to the research questions.

## D. Source of Data

In accordance with the research method used in this research is type of qualitative approach with descriptive design. Researcher grouped data capable of presenting the results of the study. Then the data source used in this research as follows:

### 1. Primary Data

Primary data is data obtained or collected directly in the field by the person conducting the research or concerned who need it (Hasan, 2002:82). Primary data in this research is data obtained in field through informant. In this study the data also obtained through observation and face-to-face interviews between researchers and informants to describe the problems of researchers. The primary data who become the subject in this research are:

- a. Team of Resolution and Monitoring, there are:
  - 1) Siti S. Watun Hasanah S.H, LLM
  - 2) Ani Samuddra Wulan, S.H
  - 3) Saputra Malik, S.H
  - 4) Asep Cahyana, S.Ip
  - 5) Zainal Muttaqin, S.Ip
- b. Achmad Fauzi, S.Kom as an Ombudsman's Information and Technology Assistant.

### 2. Secondary Data

Secondary data is data collected from second-hand or other sources that have been available before the research is done (Silalahi, 2010:291). To

strengthen the data in this study, researchers need secondary data to support the primary data.

### **E. Data Collection Method**

Data collection method is an important for research, which the data collection include primary data and secondary data. Data collection method is a systematic and standard procedure for obtaining necessary data. In this process, data collection method will be used in this research as follows:

#### **1. Interview**

Interview is data collection method by doing a question and answer, and also provides the opportunity to raise the questions directly to the informants. In the simple form, the interview consist of a number of questions that prepared by the researched and submitted in accordance with face-to-face research topics and researcher do record and understand the answers from the informants.

Interview method is one of the most important parts of every survey. Without an interview the researcher will lose information that is only obtained by asking directly to the informant. With the aim of digging deeper information, gathering information and not to alter or influence the opinions of informants. So, it can be get a lot of information about supervision of *Ombudsman Republik Indonesia* in implementation of *KTP*-electronic services in Indonesia.

#### **2. Documentation**

Data collection method with documentation method of extracting information data from the written documents that relating to the research that

conducted, guide books, archives and other data related to research. Documentation has long been used in research as a source of data because in many cases the document as a source of data used to examine, intrepet, even predict the data that will be needed and required.

### 3. Observation

Observation is a data collection method by doing direct observation on the object of study. According to Hasan (2002:86) Observation is the selection, alteration, recording, and coding of a series of behaviors and moods pertaining to the organization, in accordance with the empirical goals. The intended observations in this data collection technique are pre-research observation, while research and post-research are used as auxiliary method for optimalization supervision of the *Ombudsman Republik Indonesia*. Observation made during the observation is not just looking at it but also need to activate to observe, interpret and finally take notes. This last act is important, because human memory is very limited to keep all information about what to observe and the result of observation.

## F. Research Instrument

The research instrument is a tool that is often used in conduction research, especialy in data collection method or obatin data to answer questions about the issues that raised by the researcher who are in the formulation of problem. In this research and based on data collection method, the research instruments used in this research are as follows:

## 1. Researcher

Where the qualitative research, the researcher beside as a planners, analysts, commentators data and reporting of research data, but also as the primary instruments. Qualitative research can not be separated from the observation and participation of researchers. Researchers need to know themselves to avoid ethnocentrism related to moral culture, ethics, social habits, and beliefs. The instrument of qualitative research is a human itself, where the human are very important in the role of all the processes including collection data, even the researcher itself as the instrument. The researcher will go straight to the field both on the grand tour question, focus and selection, doing data collection, analysis and make conclusion

## 2. Interview guide

Interview guide is useful for every researcher to achieve the purpose of the interview well. Required various directives to limit and direct researchers in searching for the data required in research activities. Before conduction the interview, the researcher making the interview guide to determine what data that you want to start the collecting data, as well as deepen data that have been obtained previously. According to Narbuko and Achmadi (2003: 87) to achieve the purpose of the interview well, required as follows:

- a) Dress modestly and neatly;
- b) humble attitude;
- c) Respect to respondents;
- d) Friendly in words and with bright faces, not gloomy;

- e) Understanding attitudes towards respondents and neutral;
- f) Act as if every respondent we face is always friendly and interesting;
- g) Able to be a good listener.

### 3. Documentation Tool

Other supporting tools in this research include notebook and stationery, camera and other auxillary devices that can be used for research in the field to facilitate certain things that may not have been obtain from a written document.

### **G. Analysis of Data**

Analysis of data is the step for data processing both primary data and secondary data. As a next step, the data that has been collected or are still raw and stand alone should be analyze to classify the data and to connect each other of the data that obtained and then drawn the conclusion on the results of those data.

According to Moleong (2013:280) analysis of data is the process of organizing and sorting data into categories and units of basic outline that can be found the formulated of themes and hypotheses of working as suggested by the data. Analysis of data is very important because by analyzing the data, then the data will be known the benefits, especially in solving research problems and achieving the ultimate foal of the study.

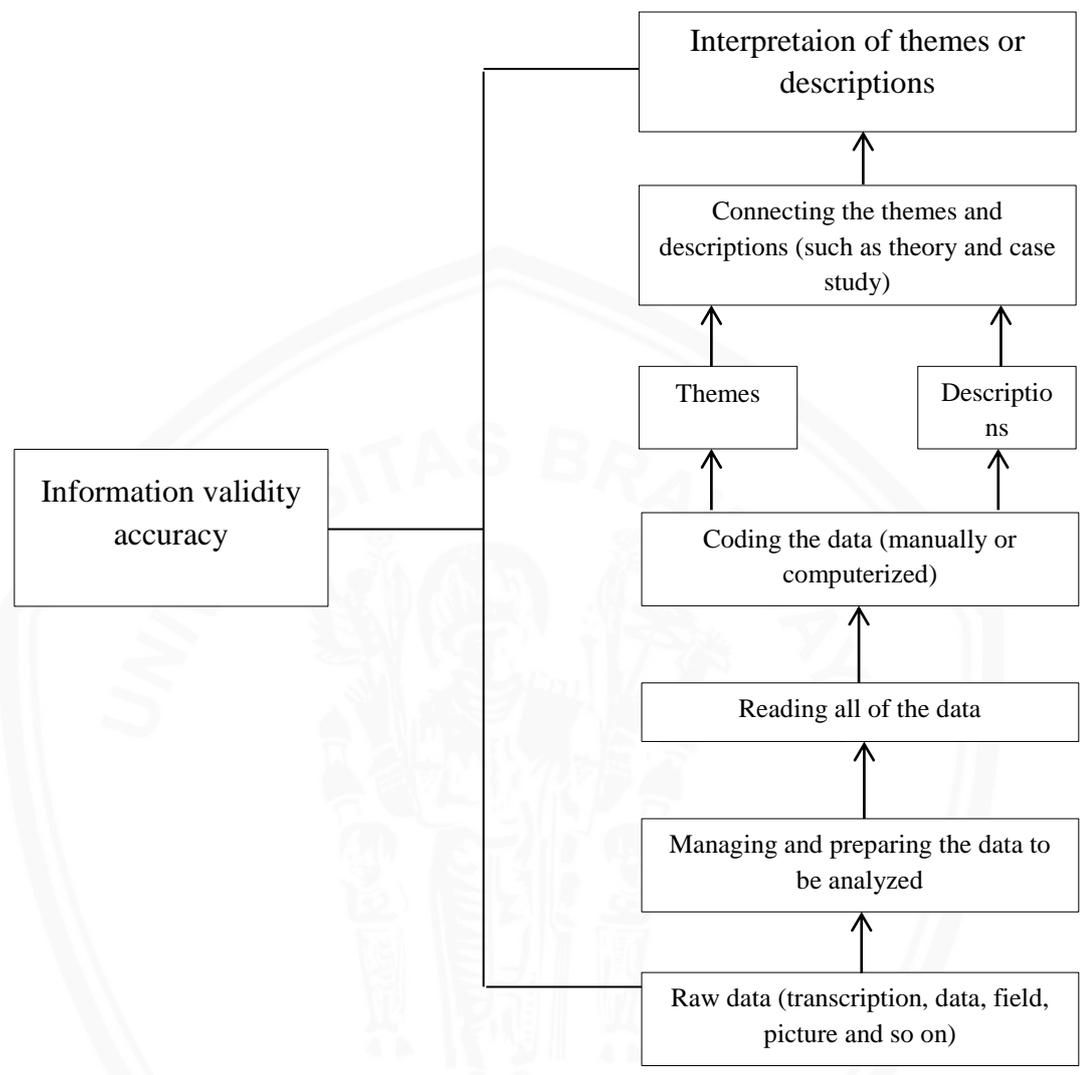
In tthis research, analysis of data umehod is used by descriptive method with qualitative research that includes the analyze based on the object of research that has been prepared in the previous one, so that it can be more to be focused research. Overall, analysis of data process involves attempts to interpret the data

in the form of text or images. This research used analysis of data based on John W. Creswell model. Selection of data analysis model is because it makes it easier for researchers to analyze the data obtained with the theory relating to the problems studied. Creswell (2012:247) explains that data analysis is an ongoing process that requires continuous reflection of data, asks analytical questions, and writes short notes throughout the study. Qualitative data analysis involves the process of data collection, interpretation, and reporting of results simultaneously and together. Qualitative data analysis according Creswell involves the open data collection based on the common questions and analysis of information from the informants.

The results of the data the researchers use because researchers need a method and appropriate steps as well as the process of coding data in helping the research process to find the problems that researchers pull from the theory and or the results of field data acquisition in order to answer the issue of optimization of supervision “*Ombudsman Republik Indonesia*” in the Implementation of *KTP* electronic services in Indonesia.

Data collection is done until the data collected in accordance with the needs of research, then described with words or sentences. Qualitative researchers generally use common procedures and special steps in data analysis. The approach of the data analysis by Creswell can be seen and described in more detail in the following figure:

**Figure 3.1 Analysis of Data in the Qualitative Research**



Source: Creswell (2015:277)

To determine depth of data analysis in qualitative research according to Creswell described in the following stages as:

1. Process and prepare the data analysis

In this stage, data analysis involves the transcription of the interview, download scanning materials, field data type, or sort and arrange the data into different types depend on the resources that will be explored. This

first stage, the researcher will prepare the data that relevant to the topic of this research. Prepare the guideline for interview and other data resources that related to research topic.

## 2. Read the entry data

In this stage is to build a general sense of information that obtained and reflect the overall meaning. It can be about to pick these ideas and how the impression of depth, credibility and the narrative of the information. In this stage, qualitative researcher sometimes written the records of special or general ideas of the data obtained. The data is related to the research topic.

## 3. Analyze the detail by coding the data

Coding is the process of taking the material or information into segments writing before interpret, Rossmann and Raliss in Creswell (2015:276). In this stage involves several levels or stages that take the data writing or pictures that have been collected during the collection process. Secondly, segmenting sentences or paragraphs or images into categories, then buy these categories with specific terms are often based on the terms of language that really comes from the participants or informants referred to in vivo. In this stage the researcher also downloading of data coding and sorting out the research data into a specific categories and sub-themes.

## 4. Coding process

The application of this coding process to describe the setting, people, categories and themes that will be analyzed. Description of the business involves the delivery of detailed information about people, location, or events in a particular setting. In this stage, coding makes more systematic research textual data analysis process of research topic.

#### 5. Restated

In this stage show how the descriptions and themes in the research that will be presented again in the narrative or qualitative reports. The most popular approach is to adopt a narrative approach in delivering the results of the analysis. These approach could include a discussion of the chronology of events, certain themes, or about connectivity between themes. In this stage can also use visuals, pictures, or tables to help the results of research. Here, researcher will present the results of analysis through a narrative approach related to the research topic.

#### 6. Interpretation

In this stage is like asking a question like “what lessons can be learned of this?” that will help the researcher to reveal the essence of an idea. The meaning of interpretation can also be derived from a comparison between the results with information from the literature or theory. Therefore, this research will certainly give an interpretation of the meaning of data or data that is relevant to the research of theory and related to the topic of problems in this research.

## H. Validity of Data

Qualitative research approach is needed so that the data validity checking results of the research can be justified. The validity of data can also act as an indicator of quality of research and ensure that research is far from doubt and accountable. According Creswell (2009:285) Qualitative validity is an examination of the accuracy of research results by applying certain procedures. The procedures applied in this research are: triangulation, member checking, making solid description, presenting different information (negative), inviting an outside auditor. In this study researchers are more concentrated using triangulation procedures to obtain validity.

Triangulation is an attempt by researchers to use various sources, methods, researchers, and theories to provide proof of amplifier. Typically, the process involves amplifying evidence from a variety of different sources to describe a theme or perspective. When qualitative researchers attempt to find evidence to document codes or themes in a variety of data sources, they are actually colluding information and providing validity for their findings (Creswell, 2015:349). The triangulation form used in this study is source triangulation. The researcher performs confirmation of an informant's answer by comparing with the other informant's answer or with the answer obtained from the document data.

## CHAPTER IV FINDING AND RESULT

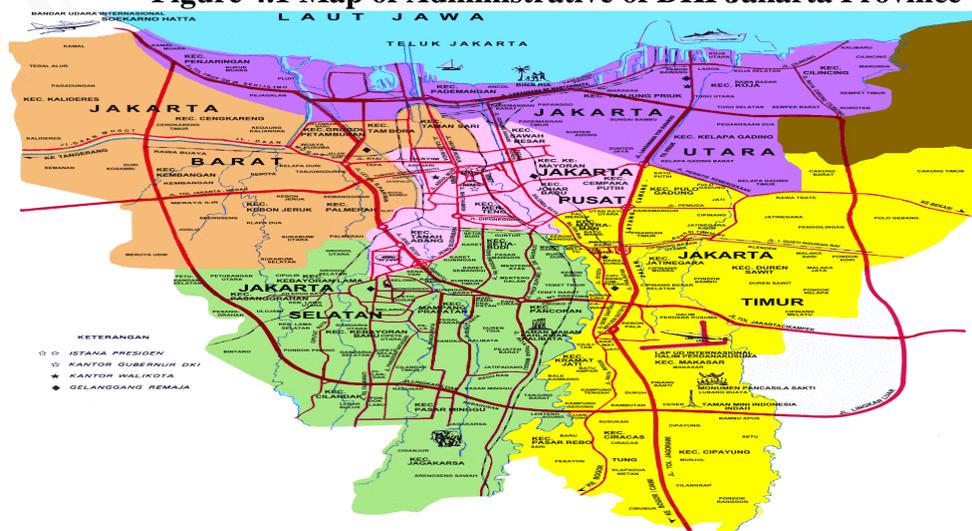
### A. Overview of Research Location

#### 1. City of DKI Jakarta

##### a. Geographical Situation

DKI Jakarta is one of the provinces between 34 provinces in Indonesia. DKI Jakarta is the capital of the Republic of Indonesia and the largest city in Indonesia with an area of approximately 662.52 km<sup>2</sup> (oceans: 6,977.5 km<sup>2</sup>). Geographically, DKI Jakarta is located between 6° 12' South Latitude and and 106° 48' East Longitude with the boundary area of the Province of DKI Jakarta for the southern is Depok City, the eastern is West Java Province, the western is the province of Banten and the north is the Java Sea. DKI Jakarta is famous for the largest metropolitan area in Southeast Asia or second in the world.

**Figure 4.1 Map of Administrative of DKI Jakarta Province**



Source: [https://id.wikipedia.org/wiki/Berkas:Peta\\_Jakarta.gif](https://id.wikipedia.org/wiki/Berkas:Peta_Jakarta.gif)

From the picture above, it can be seen that the administrative boundaries of DKI Jakarta is as follows:

1. North : Java Sea
2. East : City of Bekasi
3. South : City of Depok
4. West side : City of Tangerang

DKI Jakarta Province is divided into five City Administration and one District Administration, among others, namely:

1. Administration City of South Jakarta
2. Administration City of East Jakarta
3. Administration City of Central Jakarta
4. Administration City of West Jakarta
5. Administration City of North Jakarta
6. Administrative District of Thousand Islands

#### **b. Demographic of Population**

As a Metropolitan City, the population of DKI Jakarta from year to year always increase. Based on data from the Central Bureau of Statistics shows that the Province of DKI Jakarta has the largest number of residents compared with other provinces. In 2015 the number of population density of Jakarta is 15,328 people and in the year 2016 increased by 15,478 people.

#### **c. Government**

Government of DKI Jakarta Provincial is led by one Governor and assisted by a Vice Governor who is elected directly through the election of

Regional Head and Deputy Regional Head. Currently the Governor of DKI Jakarta is Anies Rasyid Baswedan and Vice Governor of DKI Jakarta is Sandiaga Salahuddin Uno.

The Governor in his capacity as the representative of the Government and the Provincial Head of DKI Jakarta which is given the specificity of the duties, rights, obligations and responsibilities in the position of DKI Jakarta as the Capital of the Unitary State of the Republic of Indonesia, assisted by as many as 4 (four) Deputy Governors as required and the financial capacity of the region responsible to the Governor. Deputies are appointed from eligible civil servants. The deputy is appointed and dismissed by the President upon the proposal of the Governor.

Another case with the City and District Administration in Jakarta, City Administration/District Administration led by Mayor/Regent. Mayor/Regent is appointed by the Governor on the consideration of the Provincial Regional People's Representative Assembly (*DPRD*) of *DKI* Jakarta from eligible civil servants and dismissed by the Governor in accordance with the provisions of legislation. Mayor/Regent is responsible to the Governor.

Mayor/Regent in carrying out his duties assisted by a Deputy Mayor/Vice Regent. Deputy Mayor/Vice Regent is appointed from eligible civil servants. Deputy Mayor/Vice Regent appointed and dismissed by the Governor in accordance with the provisions of legislation. The Deputy Mayor/Vice Regent is responsible to the Mayor/Regent.

Devices at the City Administration/District Administration level consist of secretariat of City Administration/Administration District secretariat, tribe offices, other technical institutions, subdistrict, and kelurahan. The sub-district is led by a sub-district head assisted by a subdistrict representative. The sub-district head and the subdistrict deputy are appointed from eligible civil servants. Kelurahan headed by the village head assisted by a lurah representative. Village heads and lurah representatives are appointed from eligible civil servants.

To assist the mayor/regent in the administration of the city/county government is formed city council/district council. Members of city councils/district councils consist of figures representing the community with the composition of one subdistrict one representative. The members of the city council/district council are proposed by the community and approved by the Provincial Council of *DKI* Jakarta for further stipulation by the Governor. Provisions on the composition, number, position, working procedures and procedures for the election of city council/district councils shall be governed by regional regulations.

To assist the village head in the administration of the village administration formed kelurahan consultative institutions. Members of the kelurahan village assembly are elected democratically at the community level and subsequently determined by the mayor/district head through the sub-district head. Provisions concerning the structure, position, working procedures, and membership of the kelurahan administrative councils shall be governed by regional regulations.

## **2. Ombudsman of Republic of Indonesia**

### **a. Historical of Ombudsman of Republic of Indonesia**

*Ombudsman Republik Indonesia* was first established at the start of the administration when President B.J. Habibie took office, followed by his successor, K.H. Abdurrahman Wahid. The period of government may be referred to as the period of K.H. Abdurrahman Wahid can be called as a milestone in the formation of Ombudsman institution in Indonesia, while in the reign of B.J. Habibie can be called a pioneer in the formation of an Ombudsman institution in Indonesia.

The fall of Soeharto from the presidency in 1998, led to the desire to form an Ombudsman institution as if gaining momentum. The government at that time seemed aware of the need for Ombudsman institutions in Indonesia following the strong demands of society to realize clean government and good state administration or clean government and good governance.

After President B.J. Habibie stepped down, the government of Indonesia followed by Abdurahman Wahid (Gusdur) and Megawati who occupied the seat of government as president and vice president. The political history of the past is quite heavy bringing merka to make changes in Indonesia, corruption cases that twist Indonesia at that time should also be the focus of government. From the pressure and demands of society at that time finally made the government trying to make a new breakthrough, one of them by establishing the supervisory agency of state service providers to oversee the government in performing its functions and duties properly, the institution named the National Ombudsman Commission.

On the stairs; November 17, 1999, a meeting was held and agreed to form an independent supervision body in which the discussion involves Antonius Sujata (the special criminal prosecutor) as presidential candidate proposed by President Abdurrahman Wahid. (Asmara, 2000:20). The institution was agreed with the name Ombudsman on the grounds, the name was already internationally renowned.

The need for the establishment of this Ombudsman institution which in the mind of Antonius Sujata as head of the review team of the establishment of the Ombudsman institution is to further increase the protection of the rights of community members from the state administrators who are inconsistent with their legal obligations, by giving the opportunity to the disadvantaged society to complain to an independent institution called the Ombudsman.

Through Decree No. 44 Year 2000 on the National Ombudsman Commission finally leaga was officially established on March 10, 2000. After the formation of the National Ombudsman Commission through Presidential Decree whose legal force does not exist so that the government at that time need to strengthen the institution by forming the Act as a clear legal basis and strong about the *Ombudsman Republik Indonesia*. This is in accordance with the mandate of the People's Consultative Assembly Decree Number MPR/2001 on the recommendation of the policy direction of eradication and prevention of corruption, collusion and nepotism which one of them ordered the establishment of Ombudsman with the Law. Until finally the recommendation was passed into Law no. 37 of 2008 on October 7, 2008 by making the National Ombudsman

Commission become Ombudsman of the Republic of Indonesia. This institution has considerable authority and has been contained in Law no. 37 of 2008, in addition Ombudsman reserves the right to establish representative offices in provinces, districts/cities.

#### **b. Function, Duties and Authority**

In Law No. 37 of 2008 about *Ombudsman Republik Indonesia* describes the functions, duties, and authority of the Ombudsman of the Republic of Indonesia. The functions of the Ombudsman according to Article 6 are:

*“Mengawasi penyelenggaraan pelayanan publik yang diselenggarakan oleh penyelenggara negara dan pemerintahan baik di pusat maupun di daerah termasuk yang diselenggarakan oleh Badan Usaha Milik Negara, Badan Usaha Milik Daerah, dan Badan Hukum Milik Negara serta badan swasta atau perseorangan yang diberi tugas menyelenggarakan pelayanan publik tertentu.”*

“Supervising the conduct of public services organized by state and government agencies at the central as well as in the regions including those held by State-Owned Enterprises, Regional Government Enterprises and State-Owned Legal Entities as well as private or private bodies assigned to perform certain public services.”

Article 7, duties of Ombudsman of the Republic of Indonesia, namely:

1. *Menerima laporan atas dugaan Maladministrasi dalam penyelenggaraan Pelayanan Publik;*
2. *Melakukan pemeriksaan substansi atas Laporan;*
3. *Menindak lanjuti Laporan yang tercakup dalam ruang lingkup kewenangan ombudsman;*
4. *Melakukan investigasi atas prakarsa sendiri terhadap dugaan Maladministrasi dalam penyelenggaraan Pelayanan Publik;*
5. *Melakukan koordinasi dan kerja sama dengan lembaga Negara atau lembaga pemerintahan lainnya serta lembaga kemasyarakatan dan perseorangan;*
6. *Membangun jaringan kerja;*
7. *Melakukan upaya pencegahan Maladministrasi dalam penyelenggaraan Pelayanan Publik dan;*
8. *Melakukan tugas lain yang diberikan oleh Undang-Undang.*

1. Receiving reports on alleged Maladministration in the administration of the Public Service;
2. Conduct a substantial examination of the Report;
3. Follow up Report covered within the scope of ombudsman's authority;
4. Investigate on its own initiative against alleged Maladministration in the conduct of Public Services;
5. Coordinate and cooperate with State institutions or other government agencies as well as community and private institutions;
6. Building networks;
7. To prevent maladministration in the implementation of Public Service and;
8. Perform other tasks provided by the Act.

In carrying out the functions and duties as referred to in Article 6 and Article 7, Article 8 paragraph 1 describes the authority of the Ombudsman, namely:

1. *Meminta keterangan secara lisan dan/atau tertulis dari pelapor, terlapor, atau pihak lain yang terkait mengenai laporan yang disampaikan kepada Ombudsman;*
2. *Memeriksa keputusan, surau-menyurat, atau dokumen lain yang ada pada pelapor ataupun terlapor untuk mendapatkan kebenaran suatu laporan;*
3. *Meminta klarifikasi dan/atau salinan atau fotokopi dokumen yang diperlukan dari instansi manapun untuk pemeriksaan laporan dari instansi terlapor;*
4. *Melakukan pemanggilan terhadap pelapor, terlapor, dan pihak lain yang terkait dengan laporan;*
5. *Menyelesaikan laporan melalui mediasi dan konsiliasi atas permintaan para pihak;*
6. *Membuat rekomendasi mengenai penyelesaian laporan, termasuk rekomendasi untuk membayar ganti rugi dan/atau rehabilitasi kepada pihak yang dirugikan;*
7. *Demi kepentingan umum mengumumkan hasil temuan, kesimpulan, dan rekomendasi.*

1. Requesting verbal and/or written information from the reporting party, the reported party or other related parties concerning the report submitted to the Ombudsman;
2. Checking decisions, references, or other documents available to reporters or reporters to obtain the truth of a report;

3. Request clarification and/or copies or photocopies of required documents from any agency for inspection of reports from the reported agency;
4. Conducting summons against the complainant, the reporter, and other parties related to the report;
5. Completed the report through mediation and conciliation at the request of the parties;
6. Making recommendations on the completion of the report, including recommendations to pay compensation and / or rehabilitation to the aggrieved party;
7. In the public interest announcing the findings, conclusions, and recommendations.

In addition, Article 8 paragraph 2 concerning other powers of the Ombudsman are:

1. *Menyampaikan saran kepada Presiden, Kepala Daerah, atau pimpinan penyelenggara negara lainnya guna perbaikan dan penyempurnaan organisasi dan/atau prosedur pelayanan publik;*
2. *Menyampaikan saran kepada Dewan Perwakilan Rakyat dan/atau Presiden, Dewan Perwakilan Daerah dan/atau Kepala Daerah agar terhadap undang-undang dan peraturan perundang-undangan lainnya diadakan perubahan dalam rangka mencegah maladministrasi.*

1. Submit advice to the President, Head of Region, or other state management leaders for the improvement and improvement of the organization and / or procedure of public services;
2. To advise the House of Representatives and/or the President, the Regional Representative Council and/or the Regional Head to ensure that other laws and regulations are amended in order to prevent maladministration.

From carrying out its authority, the Ombudsman is prohibited from interfering with judicial freedom in making decisions. As well as, in the context of the performance of its duties and authorities, the Ombudsman can not be arrested, detained, interrogated, prosecuted or challenged by the courts listed in Articles 9 and 10 of Law Number 37 Year 2008 regarding the Ombudsman of the Republic of Indonesia.

### c. Vision and Mission

Every organization has a vision and mission in it. Because there is no vision and mission in it, an organization will not be directional. The vision of the *Ombudsman Republik Indonesia* itself is “*Ombudsman Republik Indonesia yang berwibawa, efektif dan adil*”. While the mission of the *Ombudsman Republik Indonesia* is:

1. Institutional Strengthening.
2. Improve the quality of service Ombudsman RI.
3. Increasing Community Participation.
4. Encouraging the improvement of public service quality by government organizers.
5. Strengthening eradication and prevention of maladministration and corruption.

Vision and mission are determined by considering several factors, one of which is to make the level of public service delivery in Indonesia better from year to year. Because in general the implementation of public services can not be separated from the problems in it.

### d. Organization Structure

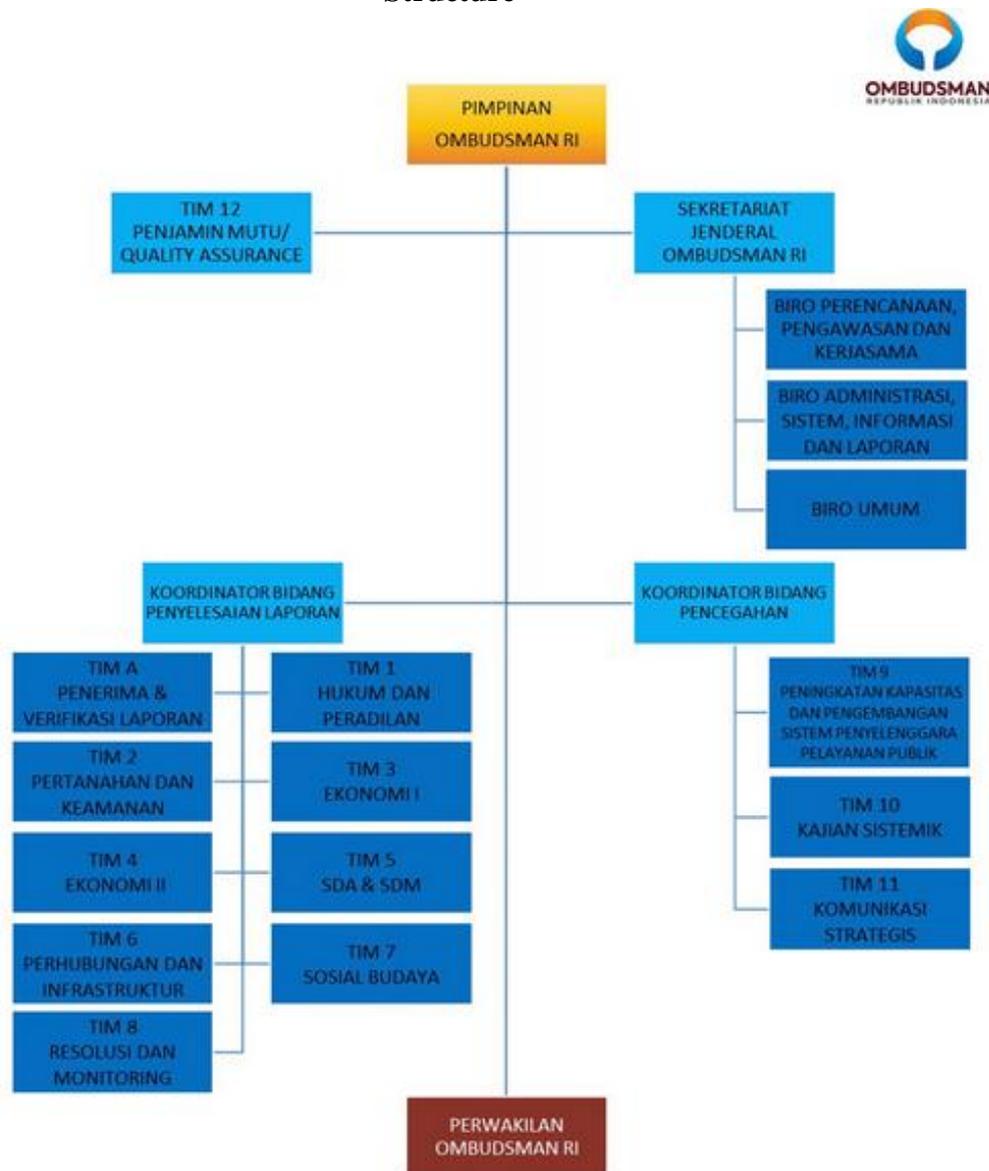
A good organization is an organization that has a leader in it. Leaders within an organization are required to take all decisions for the sustainability of the organization, design goals and give orders and direction to achieve them. Without a leader an organization will not be able to achieve anything. The *Ombudsman Republik Indonesia* consists of nine (9) members. The chairman and

deputy chairman of the Ombudsman belongs to one of these members. The Chairman and Vice Chairman of the Ombudsman shall be elected by the House of Representatives on the basis of the candidate proposed by the President. Members of the Ombudsman for the period 2016-2021 are as follows:

1. Amzulian Rifai (Chairman concurrently as a member)
2. Lely Pelitasari Soebekty (Vice Chairman concurrently as a member)
3. Adrianus Eliasta Meliala (Member)
4. Ahmad Alamsyah Saragih (Member)
5. Ahmad Su'aidi (Member)
6. Alvin Lie Ling Piao (Member)
7. Dadan Suparjo Suharmawijaya (Member)
8. Laode Ida (Member)
9. Ninik Rahayu (Member)

To carry out its duties, the *Ombudsman Republik Indonesia* is assisted by the General Secretariat and several Assistant Ombudsmen who are shared by several teams therein. Each team overcomes complaints with different themes. Below is a picture of the organizational structure of the Ombudsman of the Republic of Indonesia.

Figure 4.2 Ombudsman of Republic of Indonesia's Organization Structure



Source:<http://www.ombudsman.go.id>

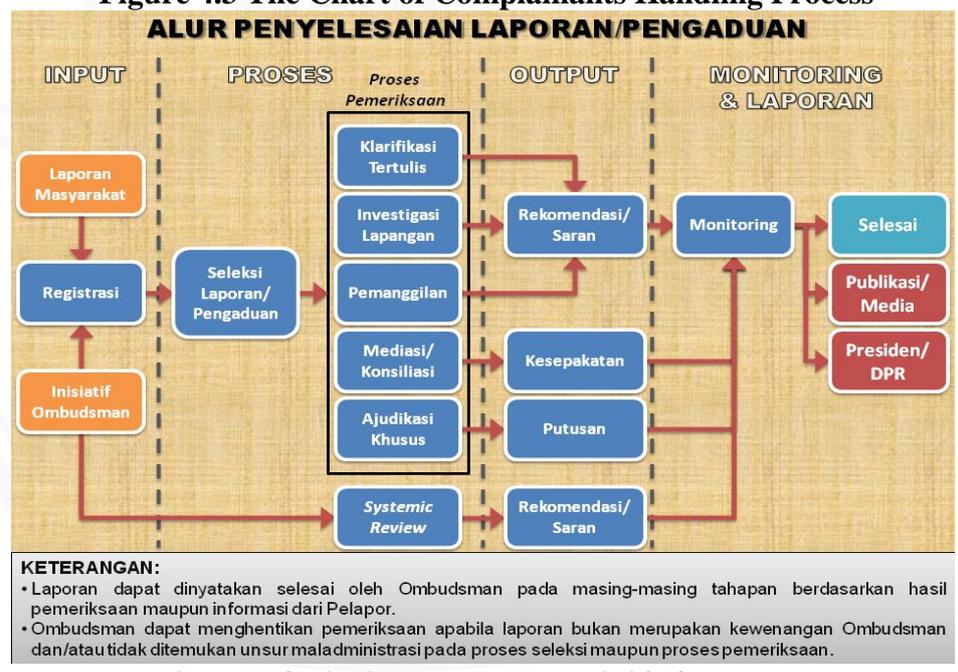
## B. Data Presentation

1. Optimalization of Supervision “*Ombudsman Republik Indonesia*” in Impelementation *KTP*-electronic service in Indonesia

**a. Technical of Supervision**

The technical of supervision that *Ombudsman Republik Indonesia* undertakes on the implementation of *KTP*-electronic services in Indonesia shall be carried out in accordance with the operational standard of report completion procedures. By way of work includes how and in what way the *Ombudsman Republik Indonesia* receives a public report, administrative research process, until the release of the Ombudsman's Recommendations, as shown below:

**Figure 4.3 The Chart of Complainants Handling Process**



Source: Ombudsman, not proceed, 2018

1) Input Stage

“Dalam tahap ini, pelapor melaporkan kepada Ombudsman atas keluhan yang mereka hadapi terhadap penyelenggaraan pelayanan *KTP*-electronic di Indonesia. Bisa melewati dengan berbagai cara. Nantinya laporan tersebut di proses dan ditangani oleh Asisten Penerimaan dan Verifikasi Laporan.” wawancara oleh Ibu Shanti Wijayanti, pada 10 Januari 2018.

“In this stage, the reporter reports to the Ombudsman the complaints they face on the implementation of *KTP*-electronic services in Indonesia. Can pass through a variety of ways. The report will then be processed and handled by the Assistant of Acceptance and Verification Report” by Ms. Shanti Wijayanti, on January 10<sup>th</sup>, 2018.

*“Di tahap input ini, nantinya berkas-berkas laporan dari pelapor dimasukan ke dalam map kuning. Nantinya map tersebut akan diverifikasi bersifat administratif. Apakah laporan tersebut sudah sesuai dengan syarat-syarat formil dan materil Ombudsman dalam penyampaian laporan.” wawancara oleh Ibu Desi Ratnasari, pada 10 Januari 2018.*

“In this input stage, later of report files from the reporter are inserted into the yellow map. And then the map will be verified as administratively. Is the report in compliance with the *formil* and *materiil* of the Ombudsman in the submission of the report.” by Mrs. Desi Ratnasari, on January 10<sup>th</sup>, 2018.

The input stage is the first stage of entry of a report to the Ombudsman, this report may be submitted by individuals or individuals or groups and agencies or legal entities that encounter an act of maladministration. Submission of reports in the Ombudsman can be done in various ways by:

- a. Direct written reports
- b. Direct oral reports
- c. Indirect written reports
- d. Verbal reports by phone

The report of the community is a complaint or submission of facts that are completed or followed up by the Ombudsman Assistant who is submitted either through various types of delivery of public reports who are victims of maladministration. In addition to this type of community reporting, there is also

an Ombudsman initiative, which means the Ombudsman's own proactive will in monitoring the findings of maladministration. Reporters who complain about the delivery of public services must pass through the following verification stages:

a. *Formil* Verification

*Formil* verification is the process of examining a number of administrative requirements that must be fulfilled by the Reporting Entity to submit a Report to the Ombudsman in order to be acted upon. While the purpose of verifying the *formil* conditions to ensure that Report submitted to the Ombudsman has fulfilled the *formil* requirements of the Report to be followed up, in accordance with the mandate of Article 24 of Law Number 37 Year 2008 regarding the Ombudsman of the Republic of Indonesia.

In case of a report if the file is declared incomplete, the Reporting Entity shall receive notice from the Ombudsman to complete the Report file as mandated by Article 25 of Law Number 37 Year 2008 regarding the Ombudsman of the Republic of Indonesia.

b. *Materiil* Verification

Verification of *materiil* requirements is a preliminary examination to see things that are substantive or related to the authority of the Ombudsman that must be met in a report to be followed up as regulated in Law Number 37 Year 2008 regarding the Ombudsman of the Republic of Indonesia.

All reports submitted to the Ombudsman either the community reports or the Ombudsman's initiative are subsequently registered and given the registration number of the report, day and date into the computer. After the public report file

has been verified the *formil* and *materiil* requirements then enter into the process stage.

## 2) Process Stage

*“Pada tahap kedua ini, map kuning yang berisi laporan atau keluhan masyarakat tersebut terkait penyelenggara pelayanan KTP-electronic di Indonesia yang lulus verifikasi formil dan materiil akan di proses kembali dan di uji kebenaran laporan tersebut oleh TIM Pemeriksaan Laporan. TIM Pemeriksaan Laporan ini terbagi menjadi 7 (tujuh) TIM dengan masing-masing menangani tema yang berbeda-beda. Untuk konteks menyangkut Administrasi Kependudukan, map kuning tersebut akan masuk kedalam TIM 7 (tujuh). TIM 7 (tujuh) inilah yang akan melakukan pemeriksaan laporan tersebut.” wawancara oleh Bapak Zainal Muttaqin, pada 11 Januari 2018.*

*“In this second phase, the yellow map containing the reports or complaints of the people related to the providers of KTP-electronic services in Indonesia that pass the *formil* and *materiil* verification will be processed back and tested the truth of the report by Team of Report Checking up. This report is divided into 7 (seven) Teams with each of team handling different themes. For the context of the Population Administration, the yellow map will enter into Team 7 (seven). Team 7 (seven) will do the checking up of the report.” by Zainal Muttaqin, on January 11<sup>th</sup>, 2018.*

*“Setiap tim dengan tema yang berbeda-beda ini menguji kebenaran laporan dari masyarakat tersebut dengan melalui cara sesuai standar operasional prosedur dalam tahap proses yaitu melalui meminta klarifikasi, investigasi, melakukan pemanggilan, mediasi atau konsiliasi, dan yang terakhir adjudikasi spesial apabila itu memang dibutuhkan. Pada tahap ini, terkait kasus pelayanan KTP-elektronik, tim tujuh telah melakukan beberapa tahap untuk memeriksa kebenaran dari laporan masyarakat tersebut untuk memastikan apakah benar adanya terjadi penyimpangan maladministrasi didalamnya. Serta kami melakukan pemanggilan terhadap ahli rekomendasi, ahli rekomendasi ini adalah seseorang yang bersifat netral.” wawancara oleh Peppy Pitria, pada 11 Januari 2018.*

*“Each team with a different theme, checking up the truth of the report from the community in a way that complies with the operational standards of the procedure in the process phase by asking for clarification, investigation, calling, mediation or conciliation, and lastly a special adjudication if it is needed. At this stage, in connection with the case of KTP-electronic service, the team of seven has undertaken several*

stages to examine the generosity of the community report to ascertain whether there is any maladministration deviation in it. As well as we call a recommendation expert, this recommendation is someone who is neutral.” by Peppy Pitria, on January 11<sup>th</sup>, 2018.

The second stage is the stage of the process whereby all forms of reports are processed for follow up, consisting of report/complaint selection, written clarification, field investigation, summons, mediation/conciliation, special adjudication, systemic review. The selection stage of the report/complaint is the stage in which each community report is sorted whether in accordance with the reporting requirements and in accordance with the authority of the Ombudsman or not. Then after the selection will be followed by the examination process. The process of checking up consists of:

- a. Clarification, clarification is an action that aims to obtain an explanation from the reported, reported superiors, reporters and witnesses related to reports of alleged maladministration submitted by the public.
- b. Investigation, investigation is an Ombudsman activity in order to follow up the report to explore what is really going on and to complete the supporting data of the report. The results of the investigation are used as consideration in the next process. The Ombudsman's investigation consists of two tiered system stages. The first stage is the investigation behind the table, namely the checking up of decisions, letters or other documents on the reporting report to obtain the truth of the report of the community. The second stage is a field investigation. This stage is done if the report submitted is still

early and little, field investigation is done by requesting information orally from the reporter or reporter, or parties related either directly or indirectly with the problem reported.

- c. Calling, calling is the stage where the reported party is summoned by the Ombudsman to explain the sitting of the case.
- d. Mediation/Conciliation, mediation is a way of settling through a party called a mediator, the main function of mediation is to find a solution that can end the dispute in the form of proposals agreed by the parties are informal and active. The purpose of mediation is to produce a forward-looking agreement that can be accepted and administered by the disputing pihak, preparing the disputants to accept the consequences of the decisions made, reducing the concerns and other negative impacts of a conflict by helping the disputing parties to achieve consensus settlement. Conciliation is an attempt to resolve the disputes of the parties by using a formally appointed third party, an institutionalized commission, but not independently and also to decide on the parties' disputes.
- e. Special Adjudication, according to Law No. 25 of 2009 on Public Service, special adjudication is a step to settle public service disputes between parties decided by the Ombudsman, this is done to resolve the request for compensation by the complainant. Special tuition can be done by Ombudsman no later than 5 years since Law No. 25 year 2009 is enacted. In contrast to direct reports from the

public, reports of the Ombudsman initiative are processed by systematic review. Systematic review is a process of examination derived from the investigation results of the Ombudsman's own initiative (own motion) process is usually done on cases involving public service policies. The systematic review may only be the Central Ombudsman, while the Representative Ombudsman can not conduct a systematic review but can perform supervisory supervision activities (*sidak*).

### 3) Output Stage

*“Nah... ini merupakan tahap terakhir dalam proses penanganan laporan masyarakat yang Ombudsman lakukan. Setelah TIM 7 (tujuh) melakukan pemeriksaan map kuning laporan masyarakat tersebut terhadap penyelenggara pelayanan KTP-electronic di Indonesia. Ternyata, TIM 7 (tujuh) menemukan kebenaran bahwa penyelenggaraan pelayanan KTP-electronic di Indonesia ini memang terdapat maladministrasi didalamnya. Hasil pemeriksaan map kuning dari TIM 7 (tujuh) tersebut diberikan kepada TIM Resolusi dan Monitoring untuk ditindak lanjuti sebagai tindak koreksi Ombudsman terhadap penyelenggaraan pelayanan KTP-electronic di Indonesia.” wawancara oleh Saputra Malik, pada 11 Januari 2018.*

*“Well... this is the last stage in the process of handling the community reports that the Ombudsman did. After Team 7 (seven) conducted a check of the community's yellow reporting map on the service of KTP-electronic in Indonesia. Apparently, Team 7 (seven) found the truth that the implementation of KTP-electronic services in Indonesia is indeed there maladministrastion in it. The checking up of the yellow map from Team 7 (seven) is given to Team of Resolution and Monitoring to be followed up as an ombudsman correction action against the implementation of KTP-electronic services in Indonesia.” by Saputra Malik, on January 11<sup>th</sup>, 2018.*

*“temuan-temuan terkait pelayanan KTP-elektronik di Indonesia yang didapat pada tahap pemeriksaan, dipertimbangkan apakah perlu ditindak lanjuti atau tidak. Nyatanya, kasus pelayanan KTP-elektronik ini harus ditindak lanjuti. Tindak lanjut yang Ombudsman Republik Indonesia lakukan yaitu dengan mengeluarkannya rekomendasi.*

*Rekomendasi yang berarti saran yang diberikan kepada instansi terlapor (Kementerian Dalam Negeri) untuk memperbaiki pelayanan KTP-elektronik tersebut.” wawancara oleh Ani Samudra Wulan, pada 11 Januari 2018.*

“The findings that related to *KTP*-electronic services in Indonesia obtained at the checking up stage, considered whether the need to be follow up or not. In fact, the case of *KTP*-electronic service must be follow up. Follow-up that the *Ombudsman Republik Indonesi*ado is by issuing the recommendations. Recommendation which means the advice given to the reported agency (Ministry of Home Affairs) to improve the *KTP*-electronic service.” by Ani Samudra Wulan, on January 11<sup>th</sup>, 2018.

The third stage, the output stage is an advanced stage of the stage of the process or can also be called the output stage of the process of examination report on the field. From the stages of written clarification, field investigations, summons and systematic reviews produce a recommendation or suggestion.

The recommendations herein are opinions, suggestions, and conclusions drawn up on the results of the Ombudsman's investigation, to the reported superiors to be implemented and / or acted upon in order to improve the quality of good governance administration. Who has the authority to recommend and supervise the implementation of such recommendations is the Central Indonesian Republican Ombudsman, while the Representative Ombudsman is not authorized, but is authorized to provide a draft of recommendations to the Central Ombudsman.

#### 4) Resolution and Monitoring

Monitoring aims to determine the response of the substance of the reported substance to the follow-up of the Ombudsman or to see the progress of

the problem being addressed. Ombudsman Monitoring can be performed to monitor public services without prior notice (*sidak*).

#### a) Direct Supervision

By working in accordance with the technical supervision stipulated in the operational standards of the reporting procedures for community settlement in which there is supervision. Direct supervision of the Ombudsman of the Republic of Indonesia to the providers of *KTP*-electronic services in Indonesia is at the stage of process and output. The input stage where direct supervision is carried out to investigate whether it is true that the deviation of service provision on *KTP*-electronic.

*“Kami melakukan pengawasan secara langsung dengan mendatangi ke 50 Kabupaten/Kota penyelenggara pelayanan KTP-elektronik di Provinsi seluruh Indonesia untuk mengetahui apakah benar adanya penyimpangan didalam pelayanannya.” wawancara oleh Bapak Zainal Muttaqin, pada 11 Januari 2018.*

*“We conduct direct supervision by visiting the 50 districts/cities of *KTP*-electronic service providers in Provinces throughout Indonesia to find out whether there is a deviation in their service.” by Mr. Zainal Muttaqin, on January 11<sup>th</sup>, 2018.*

From the direct supervision will find the findings of field related to the implementation of *KTP*-electronic services. The direct supervision of the *Ombudsman Republik Indonesia* is more repressive said one of Ombudsman's Assistants:

*“pengawasan langsung yang kami lakukan lebih bersifat represif... karena sudah atau sedang terjadinya penyelenggara pelayanan *KTP*-elektronik.” wawancara oleh Saputra Malik, pada 11 Januari 2018.*

"Our direct supervision is more repressive... because it is or has been the occurrence of the providers of *KTP-electronic.services*." by Mr. Saputra Malik, on January 11<sup>th</sup>, 2018.

With the direct supervision will be obtained some findings of field results so it can know the problems and causes of what happened. Direct supervision is effective because it is the real work of the *Ombudsman Republik Indonesia* as the supervisory agency of state organizers. One of the findings obtained when conducting supervision to 50 districts/cities in the province throughout Indonesia, namely:

**Figure 4.4 Direct Supervision Result in West Kalimantan Province**



Source: Ombudsman, not proceed, 2018

Figure 4.5 Direct Supervision Result in West Kalimantan Barat Province



Source: Ombudsman, not proceed, 2018

The findings of direct supervision can be used as evidence and consideration whether the case of *KTP*-electronic service providers needs follow-up or not. Or is it necessary follow-up, what kind of follow-up is suitable for the implementation of *KTP*-electronic services in Indonesia for better

#### b) Indirect Supervision

Indirect supervision that the *Ombudsman Republik Indonesia* do is supervision of community reports based on yellow map. This supervision does not require a direct incident. This indirect supervision is based on reports or verified community files, as one Ombudsman Assistant said in an interview conducted January 10th, 2018:

*“Sebelum kami lakukan pengawasan secara langsung, pengawasan secara tidak langsung lah yang sangat berperan. Dimana laporan masyarakat tersebut di klarifikasi kebenarannya. Apakah laporan tersebut benar memang adanya atau hanya mengada-ngada.”* wawancara oleh Ibu Siti S. Watun Hasanah, pada 11 Januari 2018.

*“Before we conduct direct supervision, indirect supervision is very important. Where the community reports are clarified the truth. Whether or not the report is true or just ridiculous.”* by Mrs. Siti S. Watun Hasanah, on January 11<sup>th</sup>, 2018.

The supervision carried out by the Ombudsman is basically based on community supervision. Prior to the direct supervision of *KTP*-electronic service providers in Indonesia, the Ombudsman received all incoming reports related to *KTP*-electronic services in Indonesia. Therefore, the supervision carried out by the community related to the service of *KTP*-electronic in Indonesia reported to the Ombudsman of the Republic of Indonesia, followed up by the Ombudsman. The follow-up process of the report includes indirect supervisory activities, in the sense that such supervision is conducted on the table, as one Ombudsman Assistant said:

*“Jadi perlu diketahui, pengawasan tidak langsung yang dilakukan terhadap penyelenggaraan pelayanan KTP-electronic di Indonesia bermula dari laporan masyarakat. Nah.. proses pemverifikasi laporan tersebut adalah salah satu pengawasan tidak langsung dari pihak Ombudsman. Karena kami tidak perlu ke lapangan, kami meminta klarifikasi kepada pelapor untuk keterangan laporan lebih lanjut atau dirasa data tersebut kurang akurat.” wawancara oleh Ibu Aat Sugihartati, pada 11 Januari 2018.*

“So please note, the indirect supervision conducted on the implementation of *KTP*-electronic services in Indonesia stems from the community report. Well.. the process of verifying the report is one of the indirect supervision of the Ombudsman. Since we do not need to go to the field, we ask clarification to the complainant for further reporting or it is considered inaccurate.” By Mrs. Aat Sugihartati, on Januari 11<sup>th</sup>, 2018.

#### **b. Follow-Up**

From the results of supervision of the *Ombudsman Republik Indonesi* related to the implementation of *KTP*-electronic services in 50 districts/cities in 34 provinces found a number of potential public deviations in it, one of which is the presence of operational guidelines and ineffective in it. As Mr.

said. Andi who is involved in one of the supervision of *KTP*-electronic services in 50 districts/cities in 34 provinces in Indonesia, namely:

*“terdapatnya juklak dan juknis yang tidak efektif seperti masih ditemukannya Surat Pengantar RT/RW/Kelurahan sebagai persyaratan pendaftaran perekaman, penerepan sistem antrean yang berbeda-beda (kuota waktu dan kuota pemohon), terdapatnya prioritas pencetakan KTP-elektronik kepada pihak tertentu dengan pemberian imbalan, dan perekaman luar domisil hanya bisa dilakukan di Dinas Kependudukan dan Catatan Sipil Jakarta dan Bandung Saja.”* wawancara oleh Bapak Andi, pada 12 Januari 2018.

*“the availability of ineffective operational guidelines and jurisys, such as the presence of RT/RW/Kelurahan Letter of Introduction as a requirement for registration of recording, the introduction of different queuing systems (quotas of time and quotas of applicants), the availability of *KTP*-electronic printing to certain parties by providing the honour, and recording outside domicile can only be done in the Department of Population and Civil Registration Jakarta and Bandung Only.”* by Mr. Andi, on January 12<sup>th</sup>, 2018.

In addition to the ineffectiveness of the *Juklak* and *Juknis* obtained from the results of supervision, the planning of the Ministry of Home Affairs is misleading to be one of the results of the supervision found. As stated by one of the Assistants who went down to supervise the service provider of *KTP*-electronic service in Indonesia, he said:

*“hasil yang kita dapat, ternyata Kementerian Dalam Negeri Republik Indonesia melakukan self-blocking anggaran pengadaan blangko, tanpa memperhitungkan pelonjakan data perekaman dan permintaan blangko pasca Surat Edaran Kementerian Dalam Negeri Nomor 471/1781/SJ.”* wawancara oleh Bapak Asep Cahyana, pada 12 Januari 2018.

*“The results we have obtained, the Ministry of Home Affairs of Republic of Indonesia has conducted a self-blocking of the procurement budget, regardless of the spike in recording data and postage requests after the Ministry of Home Affairs Circular Letter Number 471/1781/SJ.”* by Mr. Asep Cahyana, on Januari 12<sup>th</sup>, 2018.

Planning that missed, making the implementation of *KTP*-electronic service in Indonesia is considered not good. Total availability of blanks does not match the number of people who are already recording. *KTP*-electronic as a national priority program lacks support, as if it were just a regular work program of the Ministry of Home Affairs. Infrastructure and weak working system are also the results obtained when conducting supervision on the implementation of *KTP*-electronic services in Indonesia, as said one of Ombudsman's Assistants:

*“kalau untuk kondisi mesin pencetak yang masih berfungsi itu sekitar 76.56% dan rusak sebesar 23.35% dan sering kali terjadi pemadaman listrik dan koneksi internet yang bermasalah saat masyarakat sedang melakukan perekaman, ini seharusnya menjadi hal yang harus ditangani oleh pemberi pelayanan KTP-elektronik di Indonesia ini.” wawancara oleh Zainal Mutaqqin, pada 12 Januari 2018.*

*“for the condition of the working machine that is still working it is about 76.56% and damaged by 23.35% and often there is a power outage and internet connection problematic when the community is doing the recording, this should be something that must be handled by the providers of *KTP*-electronics in Indonesia.” by Mr. Zainal Mutaqqin, on Januari 12<sup>th</sup>, 2018.*

Not only are the problems in the infrastructure found in the surveillance results, the *NIK* (Population Identity Number) of the community is missing and duplicate or double, while the Ministry of Home Affairs does not notify the applicant of the status of the *NIK*. And the last finding is related to illegal levies and brokering. From some explanations of the findings of supervision of the implementation of *KTP*-electronic card services in Indonesia above required follow-up after the results obtained.

Follow-up is an act of correction which is the final stage of the supervision process, where this correction will be made referring to the previous

supervisory process whether in the previous stages of the organizers in performing services in accordance with the standards established in this case that is to compare between the predicate of compliance, of course in addition to improving public services to service users. In the form of supervision in the form of report completion of the community related to the case of the implementation of *KTP*-electronic card services in Indonesia, the *Ombudsman Republik Indonesia* has followed up by issuing Recommendations related to the implementation of *KTP*-electronic service in Indonesia with No.0004/REK/IN/XI/2016.

Which means that the *Ombudsman Republik Indonesia* has provided a recommendation review to the Ministry of Home Affairs in which the Recommendation issued by the *Ombudsman Republik Indonesia* shall be carried out in accordance with Article 38 paragraph 1 of the Law of the Republic of Indonesia Number 37 concerning the Ombudsman of the Republic of Indonesia.

*“karena permasalahan KTP-elektronik adalah permasalahan yang serius, Ombudsman mengeluarkan Rekomendasi terkait penyelenggaraan pelayanan KTP-elektronik pada September 2016. Dan kami, selaku TIM Resolusi dan Monitoring tidak melepaskan begitu saja. Kami juga melakukan pengawasan terkait Rekomendasi tersebut, apakah sudah atau sedang atau tidak dijalankan.” wawancara oleh Ibu Ani Samudra Wulan, pada 15 Januari, 2018*

“Because the issue of *KTP*-electronic is a serious issue, the Ombudsman issues a Recommendation regarding the implementation of electronic *KTP*-electronic services in September 2016. And we are as Team of Resolutions and Monitoring, we didnt jus let it go. We also supervise those Recommendations, they are whether or not or are not being implemented” by Mrs. Ani Samudra Wulan, on January 15<sup>th</sup>, 2018.

*“karena permasalahan terdapat di pusat, kami melakukan pengawasan tersebut terakhir di daerah jabodetabek, ternyata setelah kami melakukan investigasi dengan menggunakan mystery shopper, kami masih menemukan banyak penyimpangan terhadap penyelenggaraannya... pengawasan tersebut kami tidak melakukannya*

*secara periodik, jadi sekiranya perlu saja. Dan terakhir kali kami monitoring akan terkait tindak lanjut yang kami berikan yaitu tanggal 8-11 Agustus 2017 di daerah Jabodetabek. Sampai saat ini sudah tidak monitoring lagi.” wawancara oleh Ibu Siti S. Watun Hasanah, pada 15 Januari 2018.*

“because the problem is in the center, we do the last supervision in *jabodetabek* area, it turns out after we do the investigation by using mystery shopper, we still find many deviations to the implementation... we did not supervise the supervision periodically, so if it is necessary. And the last time we monitor will be related to the follow-up that we give the date of 8-11<sup>th</sup> August 2017 in *Jabodetabek* area. Until now no longer monitoring or supervising.” by Mrs. Siti S. Watun Hasanah, on January 15<sup>th</sup>, 2018.

Monitoring the implementation of the Recommendation is a series of process activities undertaken by the Team of Resolution and Monitoring in order to ensure the implementation of Recommendations by the recipients of Recommendations as a basis for further action of the Ombudsman. Monitoring is the implementation of the provisions of Article 38 paragraph (1), (2), and (3) of Law Number 37 Year 2008 regarding the Ombudsman of the Republic of Indonesia, which reads:

- (1) The Reported Party and the superior of the Reported Party shall perform the Ombudsman's Recommendation;
- (2) The boss of the Reported Party shall submit a report to the Ombudsman on the implementation of the Recommendation which he has undertaken with the result of the examination within 60 (sixty) days from the date of receipt of the Recommendation.
- (3) The Ombudsman may request information from the Reported Party and/or its supervisor and conduct a field inspection to ensure the implementation of the Recommendation.

This process is important to be implemented consistently in the context of implementing the provisions of the Law and considering the Reported Party's compliance or the Reported Party's superior against the Ombudsman's Recommendation has not been very good. Therefore, this process also aims to encourage the Reported Party or the Reported Party's superiors to implement the Ombudsman's Recommendation and report on the results of such implementation within the specified timeframe as a form of compliance with the Act.

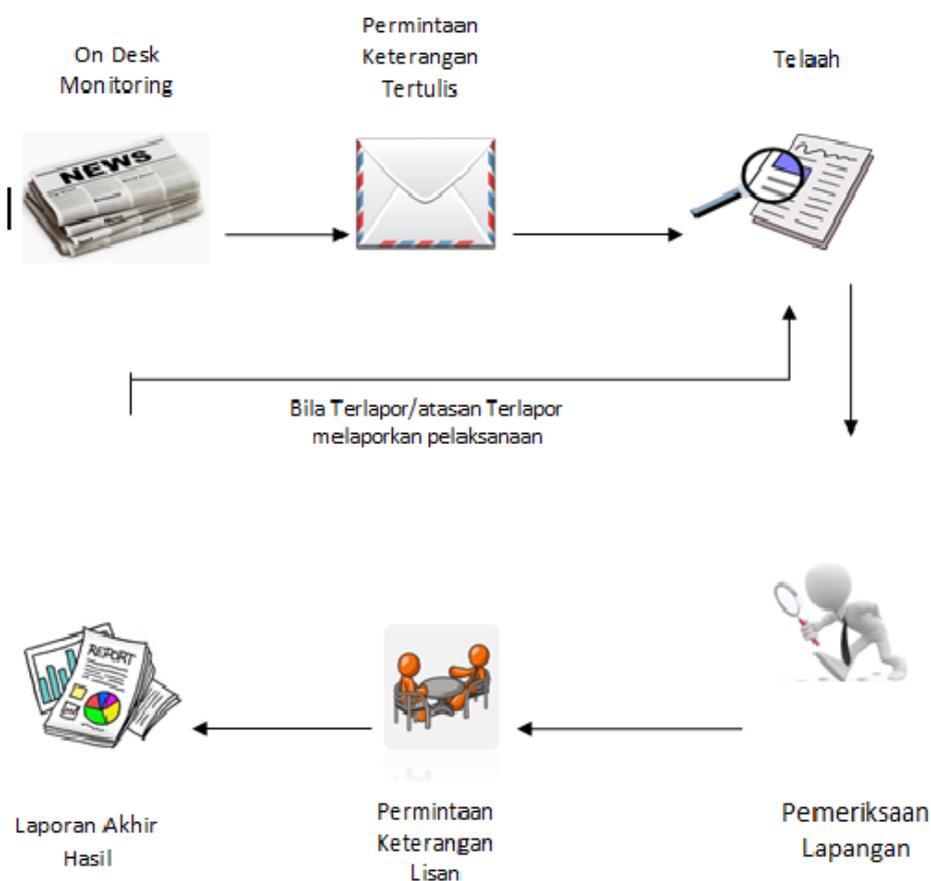
a) Process Monitoring Flow

1. On Desk Monitoring, ie monitoring activities conducted in the Office of the Ombudsman by receiving and documenting information, information, and/or data from the Reported Party or the superior of the Reported Party, Reporting Party, and other sources related to the implementation of Recommendation;
2. Requests for Written Information, ie information request by letter to the Reported Party or the Reported Party's superior regarding the implementation of Recommendation if the Reported Party's superior does not report the implementation of the Recommendation;
3. Review, namely the examination and analysis of information and / or information obtained from the results of On Desk Monitoring and Request of Written Statement;
4. Field Inspection, ie the examination of the related object or place Recommendation to ensure the implementation of Recommendation;

5. Requests for Oral Information, ie information request to Reported Party, Reported Party's superior and / or other parties through meeting or interview to ensure implementation of Recommendation;
6. The Final Report on the Monitoring Result, ie reporting to the Ombudsman Leader on the results of monitoring of the implementation of the Recommendation containing the description of the results of the examination, the conclusions regarding the status of implementation, and the follow-up proposal for subsequent action;

The flow of the process can be seen drawn as follows.

**Figure 4.6 Process of Follow-Up**



Source: Ombudsman, not proceed, 2018

The Ombudsman conducts supervision according to the operational standards of the supervisory procedures performed after issuing a follow-up or recommendation. Which, the results of monitoring the recommendations will be published to the media and President or House of Representative. Once it's done. Report on the result of recommendation examination related to the implementation of the *KTP*-electronic service is stated not yet fully implemented by the Ministry of Home Affairs, such as the result of the interview obtained by one of Ombudsman's Assistant:

*“tidak adanya batas atau dukungan normatif yang mendukung tentang lamanya pelaksanaan suatu Rekomendasi. Karena Ombudsman tidak memiliki regulatif yang khusus yang membahas mengenai Rekomendasi Ombudsman. Dan sampai detik ini status rekomendasi yang diberikan masih belum sepenuhnya dijalankan oleh Kementerian Dalam Negeri..”* wawancara oleh Ibu Ani Samuddra Wulan, pada 15 Januari 2018.

“no limit or normative support that supports the duration of implementation of a Recommendation. Because the Ombudsman does not have a specific regulative addressing the Ombudsman Recommendation. And until this moment the status of the recommendations given is still not fully run by the Ministry of Home Affairs.” by Mrs. Ani Samuddra Wulan, on January 15th, 2018.

### **c. Reduce Public Demands on Government**

Quality and quantity in the execution of tasks become one of the things to note. In general, it is the government's obligation to provide good service to the community. A good public service is a service based on Law Number 25 Year 2009 on Public Service. Community demands are things that need to be heard and noticed. In the context of monitoring the implementation of *KTP*-electronic card services in Indonesia, there are still many people who complain about the *KTP*-

electronic card services obtained. As Mr. said. Zainal Mutaqien and Mr, Asep

Wijaya in an interview conducted on 8 January 2018, at 09:24 WIB:

*“Jumlah laporan/pengaduan masyarakat yang masuk terkait pelayanan KTP-electronic di Indonesia tiap tahun semakin meningkat. Sampai pada bulan November 2017 kami membuat kolom pengaduan khusus untuk KTP-electronic di website kami, dikarenakan semakin banyaknya laporan/pengaduan yang masuk mengenai KTP-elektronik padahal kami juga telah mengeluarkan Rekomendasi untuk KTP-elektronik pada bulan Oktober 2016, namun hingga 2018 ini kami masih menerima laporan masyarakat yang mengeluh tentang pelayanan KTP-elektronik di Indonesia ini.” wawancara oleh Bapak Achmad Fauzi, pada 16 Januari 2018.*

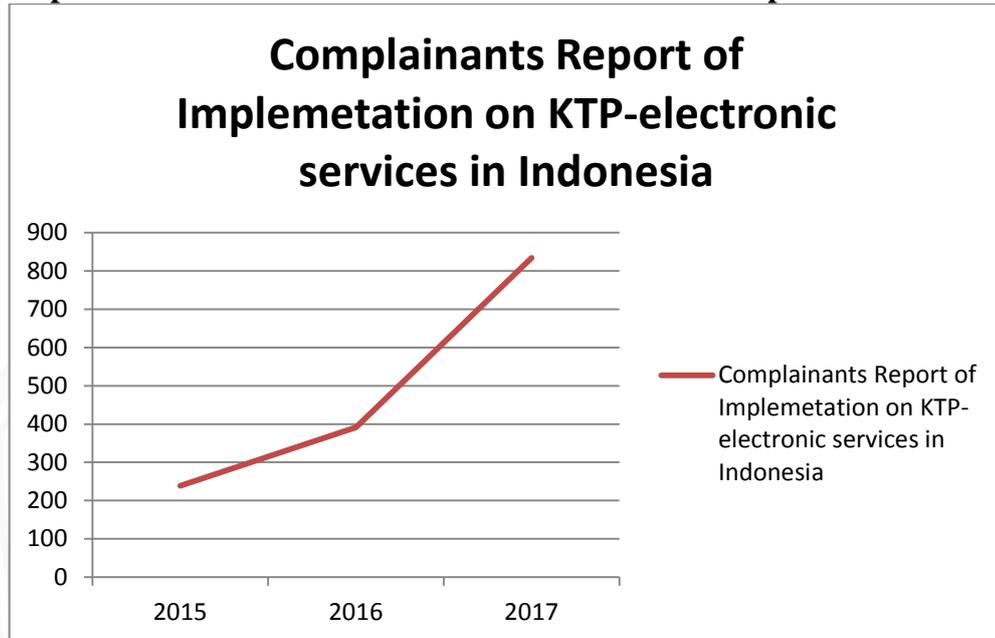
“The number of reports/complaints of the incoming communities related to the service of *KTP-electronic* in Indonesia every year is increasing. Until November 2017 we made a special complaint column for *KTP-electronic* on our website, due to the increasing number of reports / complaints about *KTP-electronic* service when we also issued Recommendation for *KTP-electronic* in October 2016, but until 2018 we still receive reports of people complaining about *KTP* services in Indonesia.” by Mr. Achmad Fauzi, on January 16<sup>th</sup>, 2018.

*“Laporan/pengaduan masyarakat yang masuk tentang penyelenggaraan pelayanan KTP-elektronik di Indonesia paling melonjak itu di tahun 2016 ke 2017. Kami juga kaget. Kami kira setelah kami mengeluarkan Rekomendasi terkait penyelenggaraan KTP-elektronik di Indonesia ini kepada Kementerian Dalam Negeri, laporan/pengaduan tentang penyelenggaraan pelayanan KTP-elektronik di Indonesia semakin berkurang, namun nyatanya malah semakin meningkat. Oleh karena itu pada bulan November 2017 di website Ombudsman Republik Indonesia terdapat pengaduan kanal khusus untuk pelayanan KTP-elektronik dan pada tahun 2018 telah kami tutup dan telah kami tindaklanjuti untuk memberikan laporan tersebut kepada Seditjen Dukcapil Kementerian Dalam Negeri.” wawancara oleh Bapak Asep Cahyana, pada 16 Januari 2018.*

“Reports/complaints of people who entered about the implementation of *KTP-electronic* services in Indonesia's most soared it in 2016 to 2017. We are also surprised. We think that after we issued a recommendation regarding the implementation of *KTP-electronic* service in Indonesia to the Ministry of Home Affairs, reports/complaints about the implementation of *KTP-electronic* services in Indonesia decreased, but in fact even increased. Therefore, in November 2017 on the website of the *Ombudsman Republik Indonesi* there is a special channel complaint for

electronic *KTP* services and in 2018 we have closed and we have followed up to give the report to the Secretary General of *Dukcapil* of the Ministry of Home Affairs.” by Mr. Asep Cahyana, on Januari 16<sup>th</sup>, 2018.

**Figure 4.7 The Number of Complainants relating to the Implementation of *KTP*-electronic service in Indonesia period 2015-2017**



Source: Ombudsman, Proceed, 2018

Based on the graph above, the public report related to the implementation of *KTP*-electronic services in Indonesia in the period 2015-2017 has increased in each year. Public complaints related to the implementation of *KTP*-electronic services in Indonesia experienced a drastic increase in the year 2016-2017. The number of reports that entered into the *Ombudsman Republik Indonesia* in 2017 amounted to 834. The figure is a large number.

The demands of society for good *KTP*-electronic services in Indonesia vary. Because, people face different maladministration problems. As with the results of interviews obtained by several reporters who reported the problems related to the implementation of *KTP*-electronic services in Indonesia, as follows:

*“Saya merasa dibohongi oleh pelayanan publik di Indonesia ini, khususnya pelayanan KTP-electronic. Saya sudah melakukan perekaman KTP-electronic dari bulan Juni 2016. Dan telah mendapatkan Surat Keterangan tersebut tertera bahwa KTP-electronic saya dapat diambil bulan Desember 2016. Tetapi sampai saat ini sudah 2018, Saya belum mendapatkan KTP-elektronik Saya. Ini tidak hanya terjadi di daerah Jakarta. Saya memiliki Saudara di NTB, dan menghadapi permasalahan yang sama seperti Saya.” Wawancara oleh Ibu Dyah Ayu Kartini, pada 17 Januari 2018.*

“I feel lied to by this public service in Indonesia, especially the service of *KTP-electronic*. I have been recording for *KTP-electronic* from June 2016. And I have obtained the Certificate stating that my *KTP-electronic* can be taken in December 2016. But until now it has been 2018, I have not received my *KTP-electronic*. This is not only happening in Jakarta area. I have you in NTB, and face the same problems as me.” by Mrs. Dyah Ayu Kartini, on January 17<sup>th</sup>, 2018.

*“Saya merasa ada diskriminasi didalamnya, Saya sudah mengantri sejak jam 6 pagi untuk melakukan perekaman KTP-electronic.. tiba-tiba ada seseorang yang datang tanpa mengambil nomor antrian dan langsung masuk kedalam ruang perekaman. Dan keluar dengan wajah bahagia... Saya memang warga kecil, namun tidak seharusnya pelayanan seperti ini. Pelayanan itu harus dibagikan sama rata kepada masyarakatnya.” wawancara oleh Ibu Rizqi Ayuni Lestari, pada 19 Januari 2018.*

“I feel there is discrimination in it, I have been queuing since at 6 a.m to do the recording of *KTP-electronic*.. suddenly there is someone who came without taking the queue number and went straight into the recording room. And came out with a happy face.. Im a small citizen, but not necessarily got a service like this. That service should be shared equally with the people.” by Mrs. Rizqi Ayuni Lestari, on January 19<sup>th</sup>, 2018.

From the results of interviews in the can, the type of substance problems maladministrasi each society faced different. The following are the types of maladministration substance of the implementation of *KTP-electronic* services in Indonesia that entered into the *Ombudsman Republik Indonesia* in the period 2015-2017 are as follows:

**Table 4.1 Type of Maladministration Substance of *KTP*-electronic Services in Indonesia reported to the *Ombudsman Republik Indonesia* period 2015-2017**

Maladministration Substantion related to <i>KTP-ELECTRONIC</i>	Years			
	2015	2016	2017	Total
Request for Rewards for Money, Goods and Services	35	37	17	89
Not Competent	20	42	37	99
Not Giving Service	65	98	94	257
Inappropriate	12	13	14	39
Discrimination	4	10	3	17
Prolonged Delay	65	126	217	408
Authority Abusement	12	24	19	55
Procedure Abusement	22	39	42	103
<b>Total</b>	<b>235</b>	<b>389</b>	<b>443</b>	<b>1067</b>

Source: Ombudsman, proceed, 2018

The substance of maladministration related to the implementation of *KTP*-electronic card services in Indonesia is the main issue or the essence of unlawful acts and harms the public in the implementation of *KTP*-electronic card services in Indonesia. Based on the above data can be known the types of report problems that go into the *Ombudsman Republik Indonesia* in the period of 3 (three) years at most is about the delay of the prolonged. The existence of the report shows that the quality of service in the implementation of *KTP*-electronic

service in Indonesia is still not in accordance with that expected by the community.

Substance report types include:

a) Prolonged deLay

In the process of public service delivery to the public, a public official repeatedly postponed or stalled for irreconcilable reasons so that the administrative process being undertaken was not timely as prescribed (inappropriately) and resulted in the public service being non-existent certainty.

b) Not Providing Services

A public official does not take any action which should be done to be his duty in order to provide public services to the public.

c) Not Competent

In the process of public service delivery, a public official is unable or incapable of deciding anything so that the services provided to the community are inadequate or inadequate.

d) Misuse of Authority

A public official uses his authority for unnecessary purposes, so that the public services provided are not as they should be.

e) Request for Money Rewards/Corruption

In the process of public service delivery to the public, a public official requests monetary rewards and so on the work he or she is supposed to do. And embezzling state money, companies, or so on for personal or others' benefit so as to cause public services can not be given to the community as well.

f) Misuse of Procedures

In the process of public service delivery, a public official fails to meet specified and appropriate stages of activity.

g) Misbehaving

In the process of public service delivery, a public official does something that is unnatural, inappropriate, and inappropriate so that the public does not get the service properly.

h) Not Fair

In the process of providing public services, a public official takes action in favor of, exceeds or subtracts from the reasonable, so that the public obtains the service not as it should be.

i) Take sides

In the process of public service delivery, a public official acts biased and prioritizes one party regardless of the prevailing provisions so that the decision taken is detrimental to the other.

From various types of maladminsitrasi substance to the implementation of *KTP*-electronic card services in Indonesia, the community faces many problems of delay in the process. People feel dissatisfied with *KTP*-electronic services in Indonesia. People do not understand why it is so difficult to get better service.

## **2. The factors of supervision support and obstacle of *Ombudsman Republik Indonesia* in the implementation of *KTP*-electronic services in Indonesia**

### **a. Support Factor**

Supporting factors for optimalization of supervision of *Ombudsman Republik Indonesia* in the implementing *KTP-electronic Indonesia* are able to give a positive contribution to efforts to increase supervision in the Ombudsman. Supporting factors are considered as one of the important capital in an organization that must always be maintained to the success of achieving the objectives of the *Ombudsman Republik Indonesia* as an external supervision body in the administration of the state. The following are factors supporting the supervision of *Ombudsman Republik Indonesia* to the implementation of *KTP-electronic card services in Indonesia*, namely:

a) Society

*“Pada dasarnya masyarakat lah sebagai salah satu pendukung pengawasan Ombudsman Republik Indonesia terhadap penyelenggaraan pelayanan KTP-elektronik di Indonesia. Kalau bukan karena banyaknya laporan atau pengaduan masyarakat yang masuk ke dalam Ombudsman terkait KTP-elektronik mungkin kami tidak mungkin sudah sejauh ini menjalankan pengawasan.” wawancara oleh Bapak Asep Cahyana, Pada 20 Januari 2018.*

“Basically the community is one of the supporters of supervision of the *Ombudsman Republik Indonesia* against the implementation of *KTP-electronic services in Indonesia*. If it had not been for the number of reports or complaints people who entered into the Ombudsman on *KTP-electronic* might not have been so far under our control.” By Mr. Asep Cahyana, on January 20<sup>th</sup>, 2018.

Society is the determining factor of the success of the *Ombudsman Republik Indonesia* in carrying out its functions, great support, welcome and appreciation from the community to the *Ombudsman Republik Indonesia* to make the *Ombudsman Republik Indonesia* has more room to be able to perform its functions. Support from the public is not only on the number of aspirations but the

number of inputs will report on the implementation of *KTP*-electronic services in Indonesia.

#### b) Budget

In essence every national or regional public organization or institution must have a budget that has been set to meet the needs in the implementation of the basic tasks and functions of these agencies. Similarly, the budget support of the *Ombudsman Republik Indonesia* becomes one of the supporting factors in supervising the implementation of *KTP*-electronic services in Indonesia. Without a budget, a supervisory exercise is deemed unenforceable and can even achieve an awkwardness.

*“...dengan adanya dukungan anggaran, menjadi suatu hal yang berperan penting pada pelaksanaan tugas Ombudsman sebagai lembaga pengawas penyelenggara pelayanan publik. Alhamdulillah, anggaran untuk melakukan pengawasan pelayanan KTP-elektronik di Indonesia lumayan tercukupi. Kadang lebih, karena yang berwenang melakukan pengawasan penyelenggaraan pelayanan KTP-elektronik hanya ada di Ombudsman pusat. Jadi, setiap orang mendapatkan tempat tugas yang berbeda untuk melakukan pengawasan. Dan itu membutuhkan biaya yang banyak khususnya biaya transportasi.”* Wawancara oleh Ibu Ani Samudra Wulan, pada 20 Januari 2018.

“... with the existence of budgetary support, it becomes an important role in the implementation of the Ombudsman's duties as a supervisory agency for the provision of public services. Alhamdulillah, the budget for supervision of *KTP*-electronic services in Indonesia is quite adequate. Sometimes more, because the authorities to supervise the implementation of *KTP*-electronic services only in the central Ombudsman. So, everyone gets a different place of duty to supervise. And it costs a lot, especially the cost of transportation.” By Mrs. Ani Samudra Wulan, on January 20<sup>th</sup>, 2018.

The budget obtained is a budget that has been calculated according to the need of how much the cost to be used in conducting surveillance. The *Ombudsman Republik Indonesia* oversees the implementation of *KTP*-electronic

services in Indonesia directly to various provinces in Indonesia. The provinces are selected based on provinces that are widely reported by the public regarding the complaints about the implementation of *KTP*-electronic services in Indonesia.

*“Adanya anggaran, membuat semuanya jadi bergerak. Kalau tidak punya anggaran, kita tidak akan bergerak mengawasi pemeriksaan terkait penyelenggaraan pelayanan KTP-elektronik di Indonesia ini.”* Wawancara oleh Ibu Siti S. Watun Hasanah, pada 20 Januari 2018.

“The existence of the budget, make everything move. If we do not have the budget, we will not move to monitor the examination related to the implementation of *KTP*-electronic services in Indonesia.” by Mrs. Siti S. Watun Hasanah, on January 20th, 2018.

#### c) Facilities and Infrastructure

**Figure 4.9 The Facilities and Infrastruce**



Source: Ombudsman, not proceed, 2018.

Other supporting factors, namely facilities and infrastructure. Facilities and infrastructure is a supporting tool. Facilities and infrastructure that become a supporting factor in the supervision of the implementation of *KTP*-electronic card services in Indonesia is a means of transportation.

“Sarana dan prasarana di Ombudsman pusat ini sangat baik, terlebih jika ingin melakukan pengawasan secara langsung. Ya, contohnya seperti di daerah jabodetabek, kami memi melakukan pengawasan secara turun ke lapangan terhadap penyelenggaraan pelayanan KTP-elektronik dan kami menggunakan mobil dan supir pribadi. Jika ingin keluar kota, kami menggunakan alat transportasi udara, yaitu pesawat, walaupun bukan pesawat khusus Ombudsman Republik Indonesia akan tetapi fasilitas alat transportasi Ombudsman Republik Indonesia dalam melakukan pengawasan sudah bisa dibilang sangat baik, kita tidak pernah ada kendala dalam sarana alat transportasi ” wawancara oleh Bapak Saputra Malik, pada 21 Januari 2018.

“Facilities and infrastructure at this central Ombudsman is very good, especially if you want to conduct direct supervision. Yes, for example as in jabodetabek area, we have to conduct surveillance on the field to the service of *KTP-electronic* and we use private car and driver. If you want to get out of town, we use air transportation, that is plane, although not a special aircraft *Ombudsman Republik Indonesi*abut also facility of transportation of Ombudsman Republic of Indonesia in doing supervision have been very good, we never have constraint in means of transportation.” By Mr. Saputra Malik, on January 21<sup>th</sup>, 2018.

The *Ombudsman Republik Indonesia* gives attention to the importance of supervision of the implementation of *KTP-electronic* services in Jabodatabek, because the problem point of the case of the implementation of *KTP-electronic* services is at the center. Thus, the *Ombudsman Republik Indonesia* is really paying special attention in conducting supervision down into the tight field around *Jabodetabek* area.

#### d) Normative Support

The normative support in question is the existence of Law which is seen as the umbrella of legal certainty in carrying out the supervision process. In the context of the implementation of *KTP-electronic* services in Indonesia, the existence of a strong legal umbrella. Legal umbrella needs to be understood by some Assistants who come down and in the supervision of this *KTP-electronic*

service. As Mr. Saputra Malik as Assistant Ombudsman in Resolution and Monitoring Team who stated that:

*“Kalau tidak ada dukungan normatif, kami semua bisa buta arah. Dengan adanya dukungan normatif, setidaknya kami paham apa makna isi yang terkandung didalamnya. Jadi, ketika kami berhadap langsung dilapangan kami tahu apa yang diharuskan atau yang menyimpang dari Undang-Undang tersebut.” Wawancara oleh Bapak Zainal Muttaqin, pada 21 Januari 2018.*

“If there is no normative support, we can all be blind. With the support of normative, at least we understand what the meaning of the content contained therein. So, when we come face-to-face in the field we know what is required or that deviates from the Act.” By Mr. Zainal mutaqin, on January 21<sup>th</sup>, 2018.

*Ombudsman Republik Indonesia* is an independent institution that serves to oversee the running of public service providers in Indonesia. Strongly inherent normative support when conducting supervision is Law No. 37 of 2008 on the *Ombudsman Republik Indonesia* and Law Number 25 of 2009 on Public Service. These two normative supports are the ultimate legal foundation and are never separated from anything.

*“Sebagai Asisten Ombudsman, kita harus paham jelas dengan kedua dukungan normatif tersebut. Karena kedua dukungan normatif tersebut adalah dukungan normatif yang utama. Masa iya kita sebagai lembaga pengawas penyelenggara pelayanan publik tidak mengerti apa-apa tentang pelayanan publik.” wawancara oleh Bapak Asep Cahyana, pada 21 Januari 2018.*

“As an Ombudsman Assistant, we must understand clearly with both the normative support. Because both normative support is the main normative support. Our time as a supervisory agency for the provision of public services does not understand anything about public services.” By Mr. Asep Cahyana, on January 21<sup>th</sup>, 2018.

Both of these normative supports are the core normative support and the basis of the *Ombudsman Republik Indonesia* as the supervisory agency for the

provision of public services. However, in the context of supervision of the implementation of *KTP*-electronic services in Indonesia required support of normative supporters to strengthen the supervision so that no one in analyzing anything.

**b. Obstacles Factor**

As an independent institution that is authorized to supervise the public service providers is certainly inseparable from the presence of obstacles or weaknesses in conducting the process of overseeing the implementation of *KTP*-electronic services in Indonesia. Inhibiting factors are something that is considered to be a constraint in the context of the implementation of supervision of the *Ombudsman Republik Indonesia* towards the implementation of *KTP*-electronic services in Indonesia. The following are the constraining factors in the supervision of the Ombudsman of the Republic of Indonesia, such as:

a) Human Resources

**Figure 4.10 The Number of Human Resource in *Ombudsman Republik Indonesia***



Source: Ombudsman, not proceed, 2018.



Human resources is one of the most important factors in a supervision. If the required human resources are lacking, a supervisor will not run maximally. The quality of reliable human resources will certainly determine the success and progress of the Ombudsman institution's own functions. Assistant *Ombudsman Republik Indonesia* who is entitled to supervise, one of which is the supervision of the implementation of *KTP*-electronic service is the Resolution and Monitoring Team, in the hierarchy structure of the Ombudsman of the Republic of Indonesia, the Resolution and Monitoring Team is the last team which means is the core team in the Assistant Field Report Completion. As the Chairman in the Resolution and Monitoring Team said, Mrs. Ani:

*“Tentu kami sangat mengharapkan bertambahnya sumber daya manusia di Tim kami. Karena TIM kami hanya terdiri dari 5 Asisten saja. Terkadang jika ingin pembagian tugas, satu orang menjalankan tugas yang ganda.” Wawancara oleh Ibu Ani Saundra Wulan, pada 22 Januari 2018.*

“Of course we are looking forward to increasing human resources in our team. Because our team only consists of five human resources/assistants only. Sometimes if you want to share a task, one person performs a double task.” By Mrs. Ani Samudra Wulan, on January 22<sup>th</sup>, 2018.

According to interviews with Mrs. Ani, Human resources in the Resolution and Monitoring Team is inadequate. Because of the large number of reports submitted to the Ombudsman of the Republic of Indonesia, a correct report indicates a problem with the implementation of public services or maladministration in which the Resolution and Monitoring Team is the one who oversaw the issue. As the last Team in the hierarchy structure of the Ombudsman of the Republic of Indonesia, Mr. Putra said that the Resolution and Monitoring Team was the spearhead team in the Ombudsman of the Republic of Indonesia.

The number of assistants or human resources in the Resolution and Monitoring Team consists of only 5 Assistants, fewer than any other Team in the field of report completion. And most importantly the Resolution and Monitoring Team is only in the Central Indonesian Ombudsman only. The Representative Ombudsman does not have a Resolution and Monitoring Team in its hierarchical structure. Feel the amount of supervision that needs to be done, Mrs. Ani assumes the increase in human resources will help the work process more quickly completed.

*“Pada tahun 2017 kemarin, Ombudsman baru saja merekrut beberapa calon Asisten. Ya.. semoga saja nanti ada beberapa yang ditempatkan di tim kami, kami sangat berharap bertambahnya sumber daya manusia di dalam tim kami. Karena pekerjaan di Tim kami bisa dibilang lumayan berat.” Wawancara oleh Ibu Siti S. Watun Hasanah, pada 22 Januari 2018.*

*“In the year 2017 yesterday, the Ombudsman has just recruited several Assistant candidates. Yes .. hopefully there will be some who are placed in our team, we really hope the increase of human resources in our team. Because the work in our Team is pretty heavy.” By Mrs. Siti S. Watun Hasanah, on January 22<sup>th</sup>, 2018.*

The limited number of human resources that supervise the implementation of *KTP*-electronic services in Indonesia will have an impact on the number of work to be done. This will certainly be considered, if the number of human resources so it can do so. Obviously, this barrier could be an opportunity to improve performance, if the human resources within the Resolution and Monitoring Team are added.

#### b) Facilities and Infrastructure

In addition to being a supporting factor, facilities and infrastructure also become one of the obstacles in conducting supervision on the implementation of *KTP*-electronic services in Indonesia. But the facilities and infrastructure here is a tool spy. As Mrs. Tatum in the interview result, that is:

*“Kalau kita sedang melakukan pengawasan on the spot, kami agak kesulitan dalam merekam situasi sekitar. Karena kita harus semaksimal mungkin mendapatkan kejanggalan-kejanggalan yang terjadi untuk bukti, tidak hanya kejanggalan atau penyimpangan, namun sisi-sisi positif yang didapatkan juga harus di dokumentasikan. Nah... Ombudsman Republik Indonesia masih belum memiliki alat spy yang mendukung. Saat ini kami masih menggunakan handphone, terkadang handphone juga tidak terekam dengan baik karena setiap Asisten memiliki kualitas dan kuantitas handphone yang berbeda” wawancara oleh Bapak Zainal Muttaqin, pada 23 Januari 2018.*

*“If we're doing supervision on the spot, we have a bit of trouble recording the situation around. Because we have to get as much as possible the irregularities that occur for evidence, not just irregularities or irregularities, but the positive sides are also must be documented. Well... The Ombudsman Republik Indonesiastill does not have a supporting spy tool. Currently we are still using mobile phones, sometimes mobile phones are also not recorded properly because each Assistant has the quality and quantity of different mobile phones.” By Mr. Zainal Mutaqqin, on January 23<sup>th</sup>, 2018.*

As a supervisory agency running the *KTP*-electronic service in Indonesia, spy tool that has been used is using handphoe technology. In the era of globalization and technological sophistication increasingly rapidly, there are technological problems that become one of the obstacles in the way of an activity in conducting supervision on the implementation of *KTP*-electronic services in Indonesia.

*“Coba saja ada alat spy yang mendukung, seperti mini kamera yang tidak bisa diduga oleh orang sekitar kalau ternyata itu adalah alat perekam. Mungkin bukti-bukti pengawasan kami akan lebih kuat*

*nantinya.” wawancara oleh Bapak Asep Cahyana, pada 23 Januari 2018.*

“If it there is a spy tool that supports, like a mini camera that can not be expected by people around if it turns out it is a tape recorder. Perhaps our evidence of supervision will be stronger later on” by Mr. Asep Cahyana, on January 23<sup>th</sup>, 2018.

*“Ya paling kita menggunakan handphone, dan untuk merekam situasi itu ga mudah, apalagi untuk wanita, kalau laki-laki handphonenya masih bisa dimasukkan kedalam saku kemeja, namun kalau kami sebagai wanita agak kesusahan apabila untuk merekam situasi. Paling minimal ya... kita merekam suaranya saja. Terkadang hanpdhone juga cepat low battery. Kalau sudah low battery seperti itu kita sudah tidak bisa mendapatkan bukti apa-apa. Kalau pakai kamera kan tidak mungkin.. terlalu besar dan kelihatan jelas kalau kami dari Ombudsman Republik Indonesia.” wawancara oleh Ibu Siti S. Watun Hasanah, pada 23 Januari 2018.*

“Yaa.. mostly we used the phone, and to record the situation is not easy, especially for women, if men the handphone still be inserted into shirt pocket, but if we as women a bit difficult if to record the situation. At least... we just record the sound. Sometimes hanpdhone is also fast to low battery. If it's low battery like that we can not get proof of anything. If we use the camera it is impossible.. too big and it seems obvious that we are from the Ombudsman of Republic of Indonesia” by Mrs. Siti S. Watun Hasanah, on January 23<sup>th</sup>, 2018.

From the interviews obtained above, so far supervision by the *Ombudsman Republik Indonesia* is still using the standard technology, such as mobile phones and other recorder tools. Renewal of the technology tools used is very important in order to support the results of more optimal supervision.

### **C. Data Analysis**

#### **1. Optimalization of Supervision “*Ombudsman Republik Indonesia*” in The Implementation *KTP*-electronic service in Indonesia**

### a. Technical of Supervision

Danamik in Ulum (2009:129) one aspect of supervisory activities is the implementation of an examination which is generally interpreted as a systematic process to identify problems, analysis and evaluation conducted independently and constructively and by giving opinion or if deemed necessary recommendations. According to the theory cited Danamik in Ulum, the supervision of the *Ombudsman Republik Indonesia* against the providers of *KTP*-electronic services in Indonesia has been in accordance with a systematic process. In a sense, systematic here is in accordance with the operational standard of the procedure. Standard operational procedures that the *Ombudsman Republik Indonesia* do that is based on the completion of community reports.

Supervision of the completion of the report of the community which begins by receiving reports of the victims of maladministration of the providers of *KTP*-electronic services in Indonesia, afterwards in the process of public report by conducting administrative checks, and until the final stage of the Ombudsman is the Recommendation expenditure. In its work the technical process of supervise of the *Ombudsman Republik Indonesia* towards the providers of *KTP*-electronic services in Indonesia is in accordance with the monitoring measures proposed by Griffin (2004:7) which in which the steps include:

#### 1. Setting Standards

Standards are the targets for which benchmarking comparisons for future performance. Standards established for control purposes shall be expressed in a measurable reference. The standard that

becomes the reference in conducting supervision on the service provider of *KTP*-electronic in Indonesia is using the Law 25 Year 2009 about Public Service. A good public services, especially in the provision of *KTP*-electronic services in Indonesia is a service that refers to the Law 25 of 2009 on public services, therefore the standard becomes a reference for comparison in the field. The legal umbrella is a strong primary reference for the Ombudsman institution whenever conducting supervision of service providers.

## 2. Measuring Performance

From the Law 25 of 2009 on public service, the *Ombudsman Republik Indonesia* measures the main indicator that will be the benchmark of the Ombudsman against the providers of *KTP*-electronic services in Indonesia, so that when conducting direct supervision, the *Ombudsman Republik Indonesia* knows what it should at least be supervised. Measurement of performance is based on community complaints that entered into the Ombudsman of the Republic of Indonesia, some public complaints related to *KTP*-electronic services in Indonesia is in the process into the administrative examination, which in the process of administrative examination Ombudsman will know what kind of maladministration malad community related to the implementation of *KTP*-electronic services in Indonesia.

## 3. Comparing Performance to Standards

At this stage the *Ombudsman Republik Indonesia* compares the standard of measurement of *KTP*-electronic service providers in Indonesia with the reality in the field. The findings obtained in the measurement of the implementation of *KTP*-electronic services in Indonesia directly, will show whether so far the service is in accordance with existing standards. Has the standard of *KTP*-electronic service providers achieved what has not. Comparison with what is reality in the field is done in detail. In general, the comparison is related to the results of supervision conducted, then poured in the report examination results. This report of examination results contains the findings, conditions, causes of the consequences that must be followed up by the Ministry of Home Affairs to correct errors in the implementation in the provision of *KTP*-electronic services. To know how big the deviation is. How much irregularities that occur in the field makes it easy to be tolerated before doing any corrective action or follow-up in an supervise.

#### 4. Determine the need for corrective action

This is the last step in an supervise. From the results of field examination found, please note what causes the deviation of the implementation of *KTP*-electronic services in Indonesia first. If you already know the causes of deviations from the implementation of *KTP*-electronic services in Indonesia, an supervise that the *Ombudsman Republik Indonesia* issues a corrective action or follow-

up of a finding on the ground. In the sense that the corrective action or follow-up taken is to adjust the results of the work of the real *KTP*-electronic service deviate to conform to the established standard or plan.

From the analysis with several theories above can be said that the technical supervision of the Republic of Indonesia's Ombudsman to the providers of *KTP*-electronic services in Indonesia is in accordance with the operational standards of procedures for completion of existing community reports. Due to the supervision of *KTP*-electronic service providers in Indonesia based on community reports. Not a direct initiative of the Ombudsman of the Republic of Indonesia. Technical supervision is started from the input stage, stage of the process until the output stage. The technical supervise that the *Ombudsman Republik Indonesia* is doing really follows the flow or procedure. Technical supervise of the *Ombudsman Republik Indonesia* has been systematic and in the supervision of the providers of *KTP*-electronic services in Indonesia, the Ombudsman does not pass several stages in the procedure of completion of the report community.

#### **a) Direct Supervision**

According Juhir (1994), in Siagian (2008:139-140) direct supervision is the supervision made on the activities or the implementation of work that is being carried out. In line with the theory put forward Juhir, direct supervision made by the *Ombudsman Republik Indonesia* against the implementation of *KTP*-electronic services in Indonesia is done by going to 50 districts/cities in the Province of Indonesia, where the *Ombudsman Republik Indonesia* visited the scene of the

*KTP*-electronic. By conducting direct supervision, the *Ombudsman Republik Indonesia* can know what and how that happens in the field, in addition to reports from the public. In other words, by direct supervise, the Ombudsman can find concrete findings that make up the evidence before any corrective action or follow-up to the problem.

In general, direct supervision is divided into 2 (two), supervision is preventive and repressive. Preventive control is the supervision conducted before the plan is implemented. Preventive controls that the *Ombudsman Republik Indonesia* undertakes are prior to the maladministration committed by public service providers, or in the sense that it is an attempt to prevent the occurrence of deviation in the implementation of a program. Supervision is preventative *Ombudsman Republik Indonesia* is usually done by the Coordinator of Prevention, but unlike the case of supervision of the implementation of *KTP*-electronic services in Indonesia, supervision is done is a repressive supervision. In line with the theory put forward by Juhir (1994) in Siagian (2008:139-140) repressive supervision is more after the activity is carried out. More said as a repressive supervision because the supervision of the providers of *KTP*-electronic in Indonesia is more rely on the role of the community as users of *KTP*-electronic services as well as victims of maladministration or because there has been a maladministration deviation in it. And the most important is the *Ombudsman Republik Indonesia* is an external supervision. oversight is more likely to be repressive. but that does not mean, Ombudsman can not do supervision is preventive.

Preventive and repressive supervision is quite different, but both have equally good results. But it will be even better, supervision done preventive. In accordance with the State Administration Agency of the Republic of Indonesia, namely:

"Supervision should be prevention as early as possible as errors of developing and recurring."

If we think rationally, the Ombudsman is an institution that is a form of external control that is repressive, because the supervision is done by institutions outside institutions or government organs that are supervised. If the preventive supervision is carried out by the *Ombudsman Republik Indonesia* on the providers of *KTP*-electronic services in Indonesia, the supervision should be conducted in 2011, the year in which the program of procurement of *KTP*-electronic in Indonesia begins. At that time, *KTP*-electronic was held to support the realization of an accurate population database, preventing and disabling double or false *KTP*-electronic, limiting the space for criminals including terrorists.

Perhaps the word preventive supervision would be more suitable tends to the supervise made the form of internal control of the organization itself. Along with the data obtained from interviews with some Ombudsman Assistants, the supervision of the *KTP*-electronic service provider in Indonesia is not in accordance with the supervision principle stated by the State Administration Institution of the Republic of Indonesia. Where the *Ombudsman Republik Indonesia* to ensure and find error first in the implementation of *KTP*-electronic services in Indonesia, the error is the existence of maladministrasi in it. Error is

found from various reports/complaints of people who enter into the Ombudsman of the Republic of Indonesia.

#### **b) Indirect Supervision**

In addition to direct supervision, the *Ombudsman Republik Indonesia* also carries out indirect control over the implementation of *KTP*-electronic services in Indonesia. In its supervision, the *Ombudsman Republik Indonesia* also conducts direct supervision. According to Juhir (1994), in Siagian (2008:139-140) indirect supervision is supervision conducted without visiting the place of the activity, the execution of the work or the object being supervised done from a distance that is behind the desk. In line with the theory put forward by Juhir (1994) in Siagian (2008:139-140) indirect supervision that the *Ombudsman Republik Indonesia* did to the implementation of *KTP*-electronic services in Indonesia through a report submitted both in writing by the public. The report is overseen by the operational standards of community report resolution procedures.

Indirect supervision is carried out by examining the administrative processes reported by the community. The examination is done behind the table. Examine reports reported by the public regarding the implementation of *KTP*-electronic services in Indonesia whether the reports are true or merely derogatory.

If seen in figure 4.3 The Chart of Complainants Handling Processt, the indirect supervise of the Ombdsman of the Republic of Indonesia is carried out at the input stage and stage of the process. The stage in which the public report file is administered by the Assistant Ombudsman of the Republic of Indonesia. All indirect supervision is carried out according to the operational standard of report

completion procedures. Reports or complaints of people entering the Ombudsman will be processed through the input stage, the stage in which the community reports on registration, and the selection of files or evidence of reports or public complaints will be verified whether in accordance with the formal and material requirements that the Ombudsman needs to follow up . After the file is qualified pass the formal and material requirements, then the yellow folder goes into the process stage, the stage where the process of examination of the substance. Substantial examination of population administration issues will be handled by Assistant Ombudsman of team seven (on Social and Cultural themes). Different types of checks are done inside. Ensure whether the case of *KTP*-electronic services in Indonesia is true there is a deviation in it, and whether the case of *KTP*-electronic services in Indonesia worthy to be followed up or not.

From the above analysis, the *Ombudsman Republik Indonesia* is an external supervisory institution which is more conducive to repressive supervision and works according to the operational standard of the procedure of report completion of the community, because the *Ombudsman Republik Indonesia* is an institution where complaints for the people who feel themselves are victims of maladministration. The Ombudsman here follows up the report as an institution where complaints of people who have complaints about public services. In the sense, the *Ombudsman Republik Indonesia* needs the community as a supervisory nets.

## **b. Follow-Up**

Principle of supervision according to the State Administration Institution said that supervision should be mainly aimed at finding what is wrong, the cause of the error and how the nature of the error. The *Ombudsman Republik Indonesia* succeeded in finding out what was wrong, the cause of the mistakes and how the nature of the mistakes that happened to the implementation of *KTP*-electronic services in Indonesia. The invention is regarded as a finding of the results under supervision. The findings of the results in those surveillance were obtained by conducting direct supervision or investigation in 50 districts/cities in 34 provinces in Indonesia against the providers of *KTP*-electronic services. From the results of data and interviews that can be by some Assistant Ombudsman, related to the findings of supervision of the implementation of *KTP*-electronic found some irregularities. The intersections include:

1. Related to the ineffectiveness of operational guidelines, technical guidelines and *SOPs*
2. Related to program planning and budget
3. Related infrastructure facilities and infrastructure
4. Related to illegal levies

The findings are evidence that how bad the *KTP*-electronic service in Indonesia. From the findings obtained, the findings are analyzed. The results of the analysis resulted in whether the need for a follow-up or corrective action should be taken so that the services of *KTP*-electronic in Indonesia to be better. In

accordance with the principles of supervision contained in the Institute of State Administration, namely:

"The results of supervisory findings should be followed by follow-up."

Follow-up or corrective action is the final form of supervision. The follow-up or corrective action that the *Ombudsman Republik Indonesia* undertakes on the organization of E-ID services in Indonesia is a Recommendation. Recommendation is one form of maladministration settlement conducted by the Ombudsman of the Republic of Indonesia, in which the Recommendation contains conclusions, opinions and suggestions prepared based on the results of supervision or investigation of the Ombudsman to the reported supervisor to be implemented and followed up in order to improve the quality of good administration administration.

Recommendations The Ombudsman can be said As stated in Law no. 37 of 2008 on the *Ombudsman Republik Indonesia*. Recommendation is the final product of the Ombudsman as a state institution that serves to oversee the implementation of public services in Indonesia. Recommendation states that action must be taken to eliminate the causal factors or minimize the consequences of deviations or problems that exist in the implementation of *KTP*-electronic services in Indonesia.

Recommendations that have been submitted by the Ombudsman to the reported agency (Ministry of Home Affairs) on the implementation of *KTP*-electronic services in Indonesia need to be monitored or monitored periodically. In accordance with Siagian (2007:130) supervision will be effective if done

periodically, so that the task given in accordance with the goals set. The duties here referred to are the follow-up or Recommendation of the *Ombudsman Republik Indonesia* to the providers of *KTP*-electronic services in Indonesia.

Regular monitoring is essential to know whether the Ministry of Home Affairs has responded to the Ombudsman's Recommendation or ignored it altogether. Performing periodic supervision can provide an assessment of the extent to which the quality of the response, whether it is in accordance with what is recommended or just a rebuttal without supported facts and arguments that are accounted for.

However, the *Ombudsman Republik Indonesia* shall not supervise the Recommendation periodically. It was made clear during an interview with Mr. Saputra Malik as Assistant Ombudsman who participated directly in supervision Recommendation of service of *KTP*-electronic.

Until this moment the status of the Ombudsman's follow-up still finds many problems in the implementation of the *KTP*-electronic service which indicates with the status that the Ombudsman Recommendation has not been fully implemented by the Ministry of Home Affairs. Recommendations Ombudsman given to the Ministry of Interior has been counted more than 1 (one) year, and until now the *Ombudsman Republik Indonesia* still get reports related to the implementation of *KTP*-electronic services in Indonesia.

According Winardi (1996:363) optimization is the size that causes the achievement of goals. In fact, the *Ombudsman Republik Indonesia* does not optimize its supervision. The Ombudsman is an external supervise body with the

final product of Recommendation, it would be better if the Ombudsman further optimizes the Ombudsman's product of the Republic of Indonesia to supervise by having a special regulation or legal force governing the Recommendation of the Ombudsman, so that the agency is reported, especially in the provision of more *KTP*-electronic appreciate any recommendation given by the Ombudsman, it would be better if the Recommendation is given the time limit and sanction against the reporting agency for the deterrent agencies to report deterrent and public service in Indonesia is getting better from year to year.

Optimalization can be said is a measure that causes the achievement of goals. The purpose of the Ombudsman in Article 4 of Law Number 37 Year 2008 regarding the Ombudsman of the Republic of Indonesia, namely:

- a) *Mewujudkan negara hukum yang demokratis, adil dan sejahtera;*
- b) *Mendorong penyelenggaraan negara di segala bidang agar setiap warga negara dan penduduk memperoleh keadilan, rasa aman dan kesejahteraan yang semakin baik;*
- c) *Meningkatkan mutu pelayanan negara disegala bidang agar setiap warga negara dan penduduk memperoleh keadilan, rasa aman, dan kesejahteraan yang semakin baik;*
- d) *Membantu menciptakan dan meningkatkan upaya untuk pemberantasan dan pencegahan praktek-praktek maladminstrasi, diskiriminiasi, serta KKN (Korupsi, Kolusi dan Nepotisme);*
- e) *Meningkatkan budaya hukum nasional, kesadaran hukum masyarakat, dan supremasi hukum yang berintikan kebenaran serta keadilan.*

- a) Realizing a democratic, justice and prosperous legal state;
- b) Encouraging the implementation of the state in all fields so that every citizen and citizen will obtain justice, a sense of security and better prosperity;
- c) Improving the quality of state services in all fields so that every citizen and citizen will gain equity, security and better welfare;
- d) To assist in the creation and enhancement of efforts for the eradication and prevention of maladminstration, discriminatory practices, and corruption, collusion and nepotism (KKN);

- e) Improving the culture of national law, the awareness of community law, and the rule of law that is related to truth and justice.

In the point of b and c, the *Ombudsman Republik Indonesia* as an external supervise body of the state organizers with the aim of encouraging and improving the quality of state officials in all fields so that every citizen and citizen shall obtain justice, security and better welfare. How the *Ombudsman Republik Indonesia* wishes to achieve these two points of purpose, if a follow-up that the Ombudsman gives to the Ministry of Home Affairs does not carry out periodic supervision therein. Must wait for how long until the status of the Ministry of Home Affairs states that he has fully implemented the recommendations of the Ombudsman to the implementation of *KTP*-electronic services in Indonesia.

Therefore, supervision will be judged meaningful if followed by real and appropriate follow-up steps. Real follow-up will not run as directed in the absence of supervision. In other words, supervision without follow-up is a futile thing, on the contrary, follow-up without supervision is futile. Both have a very close relationship if you want to achieve a program according to plan.

### **c. Reduced Public Demands on Government**

The government is basically there because of the people. Therefore it has become the government's obligation to provide good service to its people. Public demand for improving the quality of services is increasingly felt important because society is increasingly critical of the services products it gained. Society as a consumer no longer just buy a service product but also prefer a service that is guaranteed and quality from pre-purchase to post-purchase stage. Good service

and prima will have an impact on the creation of community satisfaction on services obtained by the community itself and also will increase public confidence in the performance of an agency.

Along with the increasing dynamics of society, Public demands on the quality of public services will continue to increase. The government is required to serve the people well. The implementation of the state has a decisive role in the successful implementation of general government tasks, development and service tasks to the community in realizing the goals and objectives of sustainable national development. The state apparatus is expected to perform the service function in a professional, efficient, productive, transparent, free from corruption, collusion and nepotism to implement and realize good governance.

If the level of public demand for a public service is reduced, the service can be said to be good. But if the public demand is increasing, it can be said that public service is bad. The public demand for the quality of public services is increasingly increasing the response form of these demands is the emergence of public aspirations to get quality public services. To overcome this, supervision is necessary for all activities that are implemented in accordance with what has been planned. But if internal control within an organization is not successful in the achievement of the program external supervision is one solution.

The *Ombudsman Republik Indonesia* is one of the external supervise bodies that oversees the running of public services in Indonesia. In the context of the implementation of *KTP*-electronic services in Indonesia, the *Ombudsman Republik Indonesia* has conducted supervision both indirectly and directly and

followed up the findings of such supervision by issuing Recommendation in November 2016 as the final product or corrective action of the *Ombudsman Republik Indonesia* against the findings of irregularities which is contained in the implementation of *KTP*-electronic services in Indonesia. However, if we see from the graph below, reports/complaints of society to the Ombudsman related to the implementation of *KTP*-electronic services in Indonesia is increasing.

Can be seen in Figure 4.7 The Number of Complainants relating to the Implementation of *KTP*-electronic services in Indonesia period 2015-2017, reports/complaints of the community on the service of *KTP*-electronic is increasing every year. The figure indicates that the community is not satisfied with the implementation of *KTP*-electronic services in Indonesia. Very clearly visible in 2016 to 2017 experienced a high rate surge. If the level of lack of community satisfaction is higher, the public demand for the implementation of *KTP*-electronic services in Indonesia is increasing. It can be said that the supervision made by the *Ombudsman Republik Indonesia* is still less successful or less than optimal. In accordance with the theory put forward by Rachman (2001:23), the success of the monitoring program can be seen from the indicators of reduced public demand for the government can be seen from the lack of misuse of authority, leakage, quality and quantity of other deviation cases.

Until the end of 2017, from the results of data and interviews obtained, people are still complaining about and reporting complaints related to the implementation of *KTP*-electronic services in Indonesia, one of which is reported in most is the delay in the service. The inaccuracy of the service of *KTP*-electronic

by repeatedly delaying and stalling for irreconcilable reasons so that the administrative process being done is not timely as it is specified (appropriately) and resulted in the people who have received the *KTP*-electronic service there is no certainty . Supposedly, with the issuance of Recommendation as the final result and follow-up of Ombudsman on the implementation of *KTP*-electronic service, *KTP*-electronic in Indonesia is getting better, the level of demands of society is decreasing, but this is inversely proportional. Until October 2017, the *Ombudsman Republik Indonesia* opened a special channel of complaint related to the complaint of *KTP*-electronic services due to the number of reports that entered into the Ombudsman of the Republic of Indonesia.

Due to the number of reports of people who reported the existence of irregularities that occurred to the implementation of *KTP*-electronic services in Indonesia, making the *Ombudsman Republik Indonesia* to open a special channel of complaint to facilitate the *Ombudsman Republik Indonesia* to complete the process of completion of the report of the community, which where the channel has been closed and reports or complaints entry has been followed up by the Secretary General of the Ministry of Home Affairs, *Dinas Kependudukan Catatan dan Sipil*.

Not in line with the theory put forward by Winardi (1996:363) optimization is the measure that causes the achievement of goals. The measure here is supervision. Supervision made by the *Ombudsman Republik Indonesia* related to the implementation of *KTP*-electronic services in Indonesia has not reached the goal or said not yet optimal, because there are still many reports that

related to the implementation of *KTP*-electronic services in Indonesia. If the supervision of the *Ombudsman Republik Indonesia* is done optimally or in other words the measure where all the needs can be met from the activities undertaken, should the level of claims or reports of the community is diminishing. In the future, the Ombudsman will have implemented in November 2016, should the *KTP*-electronic service in Indonesia be better. However, until now the status of the follow-up results "is still not fully implemented by the Ministry of Home Affairs".

## **2. Supporting and Obstacles Factor of Optimalization of Supervision of *Ombudsman Republik Indonesiain* The Implementing *KTP*-electronic services in Indonesia**

### **a. Supporting Factor**

#### **a) Society**

The Ombudsman's supervision should be based basically on the supervision of the community derived from public complaints against maladministration actions carried out by the state's organizers, and further supervision is continued by the Ombudsman. In the supervision system of the Ombudsman of the Republic of Indonesia, participation is an important prerequisite and mainstream. To achieve the objectives of Good Governance, the Ombudsman is tasked to, among other things, seek the participation of the community by creating a conducive environment for the realization of clean bureaucracy, good public services, efficient and professional judicial

administration including independent and fair independent process so that it can be guaranteed no partiality.

Public/society participation in the administration of the state is required in the form of, among other things, seeking, obtaining, and providing data or information on the administration of the state, and the right to express advice and opinion responsibly to the policy of state administration. The purpose of such community participation to realize the rights and responsibilities of the community in the implementation of a clean state. The Ombudsman as an external supervision institution desperately needs public/society participation in it, in order to know how far the actions provided by the state organizers as an institution in providing services to the community. Without the participation of public supervision of *KTP*-electronic service providers in Indonesia, there will be no Good Governance.

#### **b) Budget**

Budget is one important factor in supporting the achievement of programs, work plans, goals, and targets within an organization. Based on the results of research, the budget is a matter that is needed in running the wheel and supervision system conducted by the *Ombudsman Republik Indonesia* in conducting supervision on the implementation of *KTP*-electronic services in Indonesia. Without a budget, any activity in an organization automatically can not run properly, because the budget is one of the vital things that are difficult to separate from the needs of an organization. To oversee the implementation of

*KTP*-electronic services in Indonesia would require sufficient budget, so that supervision goes according to target.

Indonesia is a country with 34 provinces in it. To conduct supervision either directly or indirectly to the providers of *KTP*-electronic services is needed budget in it. In order for the supervision to be carried out effectively and efficiently. Especially to go to one and the next. And who has the authority to exercise supervise after a corrective action is issued only the *Ombudsman Republik Indonesia* (center), the Representative Ombudsman in Indonesia does not have the authority to do supervise after the issuance of corrective action. It will cost a lot if the *Ombudsman Republik Indonesia* (center) plunge directly to supervise the implementation of *KTP*-electronic services in Indonesia. The entire budget of the Ombudsman of Republic of Indonesia shall be sourced from the State Revenue and Expenditure Budget or the Regional Revenue and Expenditure Budget. As stated in Law No. 37 of 2008 on the *Ombudsman Republik Indonesia* in Article 1 which reads:

*“Ombudsman Republik Indonesia yang selanjutnya disebut Ombudsman adalah lembaga negara yang mempunyai kewenangan mengawasi penyelenggaraan pelayanan publik baik yang diselenggarakan oleh penyelenggara negara dan pemerintahan termasuk yang diselenggarakan oleh Badan Usaha Milik Negara, Badan Usaha Milik Daerah, dan Badan Hukum Milik Negara serta badan swasta atau perseorangan yang diberi tugas menyelenggarakan pelayanan publik tertentu yang sebagian atau seluruh dananya bersumber dari anggaran pendapatan dan belanja negara dan/atau anggaran pendapatan dan belanja daerah”*

“The *Ombudsman Republik Indonesia* hereinafter referred to as the Ombudsman is a state institution which has the authority to oversee the implementation of public services both organized by state and government operators including those held by State-Owned Enterprises, Regional Government Enterprises and State-Owned Legal Entities as

well as private or private bodies assigned to perform certain public services that part or all of their funds are sourced from the state budget and/or revenues and/or regional budget and expenditure budget”

That so far, the *Ombudsman Republik Indonesia* never lacks budget to conduct supervision on a state administration. Due to the importance of supervision of an organizer of state and government, therefore the budget of the *Ombudsman Republik Indonesia* has always been fully supported. Especially in the case of the implementation of *KTP*-electronic service in Indonesia is one of the cases that need special attention, because it concerns the identity of citizens as citizens of Indonesia.

### c) **Facilities and Infrastructure**

Facilities and infrastructure become one of the supporting factors of the Ombudsman of Republic of Indonesia on the supervision of the implementation of *KTP*-electronic in Indonesia. According Djoyowiriono (2005:24) states that facilities or facilities are necessary tools to drive management activities in order to achieve organizational goals. The management of facilities and infrastructure is vital for employees to complete their tasks. Supervision is one of management activities. In the absence of facilities and infrastructure a process of supervision activities will not be implemented properly.

Factors that support the supervision of the *Ombudsman Republik Indonesia* against the providers of *KTP*-electronic services in Indonesia are infrastructure facilities and infrastructure. As the supervisory agency of state organizers, the *Ombudsman Republik Indonesia* provides strong support for infrastructure facilities and infrastructure. Due to the absence of infrastructure

facilities and infrastructure, the Ombudsman will not be able to properly supervise the providers of *KTP*-electronic services in Indonesia. Moreover, Indonesia consists of 34 Provinces. Requires supporting facilities and infrastructure, for all 34 provinces to be monitored.

#### **d) Normative Support**

One of the supporting factors to support the implementation of supervision of the *Ombudsman Republik Indonesia* against the providers of *KTP*-electronic services in Indonesia in order to run maximally through normative support. Normative support in question is the availability of good legislation that becomes an umbrella of legal certainty in carrying out supervisory duties to public service providers.

As referring to the statutory law which states that the *Ombudsman Republik Indonesia* is a state institution that has the authority to oversee the implementation of public services either by the state or private. In supervising the implementation of *KTP*-electronic services in Indonesia, it is certain that the Ombudsman is guided by Law Number 37 Year 2008 regarding the *Ombudsman Republik Indonesia* and Law Number 25 Year 2009 on Public Service.

From the results of interviews with some Assistant Ombudsman can provide an explanation of the normative support applied to the Ombudsman of the Republic of Indonesia. In relation to the above, it shows that with the existence of normative support which is seen as the umbrella of legal certainty of *Ombudsman Republik Indonesia* in running supervision of public service providers in Indonesia, especially the implementation of *KTP*-electronic service in Indonesia

can demand internal monitoring officers in a agency reported more professional in carry out an examination and may continue to improve public services better for the community in accordance with Law Number 25 Year 2009 on Public Service. It can be analyzed that the normative support that guides the *Ombudsman Republik Indonesia* in supporting the supervision of state administration is quite complete because the normative support is already clear.

## **b. Obstacle Factor**

### **a) Human Resource**

The number of resources of the Central *Ombudsman Republik Indonesia* is more than that of the representative Ombudsman. However, human resources are still an obstacle in the course of an supervision. Human resources always play an active and dominant role in every activity of the organization. Because human resources become planners, actors, and the determinant of the realization of the goals of an organization. Muhammad (2008: 13) explains that human resources is one of the important elements that contribute to determine the performance of an organization either through production records on certain job functions or activities over a certain period of time. Human resources either quantity or quality is a very crucial thing that must exist within an organization, both public and private organizations. Referring to the focus of research on optimizing the Ombudsman's supervision of the Republic of Indonesia on the provision of *KTP*-electronic services in Indonesia, human resources are a major factor when a supervision is implemented. In the sense that human resources are a matter of need in an organization.

From the data and results obtained when conducting an interview with the Ombudsman Assistant, it is known that the Assistant *Ombudsman Republik Indonesia* consists of 110 human resources, all divided into existing TEAMS. However, human resources that play a role in supervision of the *Ombudsman Republik Indonesia* against the providers of *KTP*-electronic services in Indonesia is still inadequate. There are only 5 employees in it who are responsible for supervision. If the lack of human resources in the supervision, Ombudsman Member who became the intervention. This indicates that the required human resources are sufficient and consist of individuals who are able to perform their duties and functions in good and quality in order to improve the results obtained from supervision as maximumly.

#### **b) Facilities and Infrastructure (Spy Tools)**

In addition to being a factor supporting a supervision by the Ombudsman of Republic of Indonesia, facilities and infrastructure are also an inhibiting factor, but facilities and infrastructure here is a tool to spy when direct supervision performed. According Djowiriono (2005:24) states that facilities or facilities are necessary tools to drive management activities in order to achieve organizational goals. Supervision is one of the management activities. Facilities and infrastructure management are factors that can not be separated from the world of work and is vital for employees to complete the tasks. With the availability of management facilities and infrastructure as a form of management activities as a complete working support then employees will be encouraged to improve its performance. Impacts arising from these conditions that employees will be more

optimal and objectives of the organization can be achieved effectively and efficiently.

The facilities and infrastructures used to optimize the supervision of the *Ombudsman Republik Indonesia* against the commissioning of *KTP*-electronic services in Indonesia are still using standard technology. The standard technology in question is the mobile phone. As an independent institution that serves to oversee the implementation of public services will be better and optimal if supported by sophisticated technology. The use of handphone on the direct supervision of the implementation of *KTP*-electronic services in Indonesia is still considered less effective and efficient. Facts on the ground, the Ombudsman Assistant found some irregularities in the practice of organizing *KTP*-electronic card services in Indonesia. The most common discrepancy is the practice of illegal levies. To document it would be difficult if using a mobile phone if we are not smart and careful in using it. If the alleged illegal levy finds out that he or she is being recorded, the suspect may be silenced, angry and the Ombudsman's Assistant will not get an answer from the suspect of the illegal charges.

Based on the above, the facilities and infrastructure (spy tools) used by the *Ombudsman Republik Indonesia* in conducting supervision of the implementation of *KTP*-electronic service in Indonesia should be immediately corrected. One is the problem of tools used to monitor directly to the scene. Because, if the tools used to support more in accordance with current technological developments, the results can be in the supervision will look more satisfactory and other words cannot be justified not to record or photograph events

or conditions in place. The need for technology today is already vital to the needs of work. If it can be overcome, then the results of supervision generated by the *Ombudsman Republik Indonesia* will be more optimal or maximum.



## CHAPTER V

### CLOSING

#### A. Conclusion

Based on the study of theory and field data analysis with respect to Optimalization of Supervision “*Ombudsman Republik Indonesia*” in the implementation of *KTP*-electronic service in Indonesia can be summarized as follows:

1. It is apparent that the supervision exercised by the *Ombudsman Republik Indonesia* in the implementation of *KTP*-electronic service in Indonesia is a form of repressive external supervision, since such supervision is exercised by an institution outside the supervised institution or organ and basically the supervision carried out by the Ombudsman is based from public scrutiny. Further supervision is undertaken by the Ombudsman and the supervision is made against public complaints against maladministration actions committed by public officials. So Ombudsman Supervision here is an attempt how follow-up or law enforcement of these irregularities. It is not a preventive supervision that aims at preventing acts that are inconsistent with legal corridors.
2. Ombudsman supervision of *KTP*-electronic service providers in Indonesia is followed up by boils down to the recommendations given by the Ombudsman

against *KTP*-electronic service in Indonesia which found some irregularities or maldministrasi in the implementation of *KTP*-electronic service in Indonesia.

3. It is undeniable that the findings of the follow-up of the *Ombudsman Republik Indonesia* do not have such a significant impact on the community. Can be seen on graph 4.1, high society reporting about problems to the implementation of *KTP*-electronic service in Indonesia. Increasing public reports on *KTP*-electronic means the same as the increasing level of community demands for better *KTP*-electronic services.

4. Supporting factors in optimalization the supervision of the *Ombudsman Republik Indonesia* in the implementation of *KTP*-electronic service in Indonesia can be concluded that is, community, budget, normative support and infrastructure infrastructure.

5. Obstacle factors in optimalization the supervision of the *Ombudsman Republik Indonesia* against the implementation of *KTP*-electronic service in Indonesia can be concluded that is: Human resources and infrastructure facilities in the field supervision.

## **B. Suggestion**

1. Increase more supervision in preventive, in order to avoid further deviation. Due to the lack of supervision means closer to the implementation of work that is not perfect so keep it away from the goal to be achieved and the more

opportunities to abuse power. On the contrary, the strength of supervision or tightening of supervision is more perfect the execution of its work, so that the goal can be achieved and abuse of power can be avoided

2. As a state institution authorized to supervise the implementation of service pulik Ombudsman should be given a stronger authority not only limited to provide recommendations but in addition to recommendations must be followed by the imposition of sanctions as a firm law enforcement for public service providers who conduct maladministrasi against public services . There is a special Act governing the Recommendation of the Ombudsman. In order for the existence of the Ombudsman Recommendation is more appreciated.

3. Increasing public reports on *KTP*-electronic card even though Ombudsman has issued Recommendation related to the implementation of *KTP*-electronic service that can be interpreted Ombudsman supervision to *KTP*-electronic not too significant impact. It would be better after the expenditure of the recommendation, the Ombudsman still supervise the recommendations. Good supervision if done periodically. So that public officials feel demanded for supervision, and can improve better service.

4. Existing supporting factors must be reinforced and maintained so as not to turn into an inhibiting factor of a supervisory course.

5. Obstacle factors such as human resources must be taken seriously by the Ombudsman of the Republic of Indonesia, in order for the implementation of an effective and efficient work. Quality and quantity of human resources must also

be considered. Because, good quality and quantity will create good results. Inhibiting factors such as facilities and infrastructure of spy tools will be better if supported by high technology such as in this day and age. The tools and infrastructure of spy tools will create better supervision results when using standard technology, and will be more visible to the Ombudsman's way of operating as a state-run supervisory agency.



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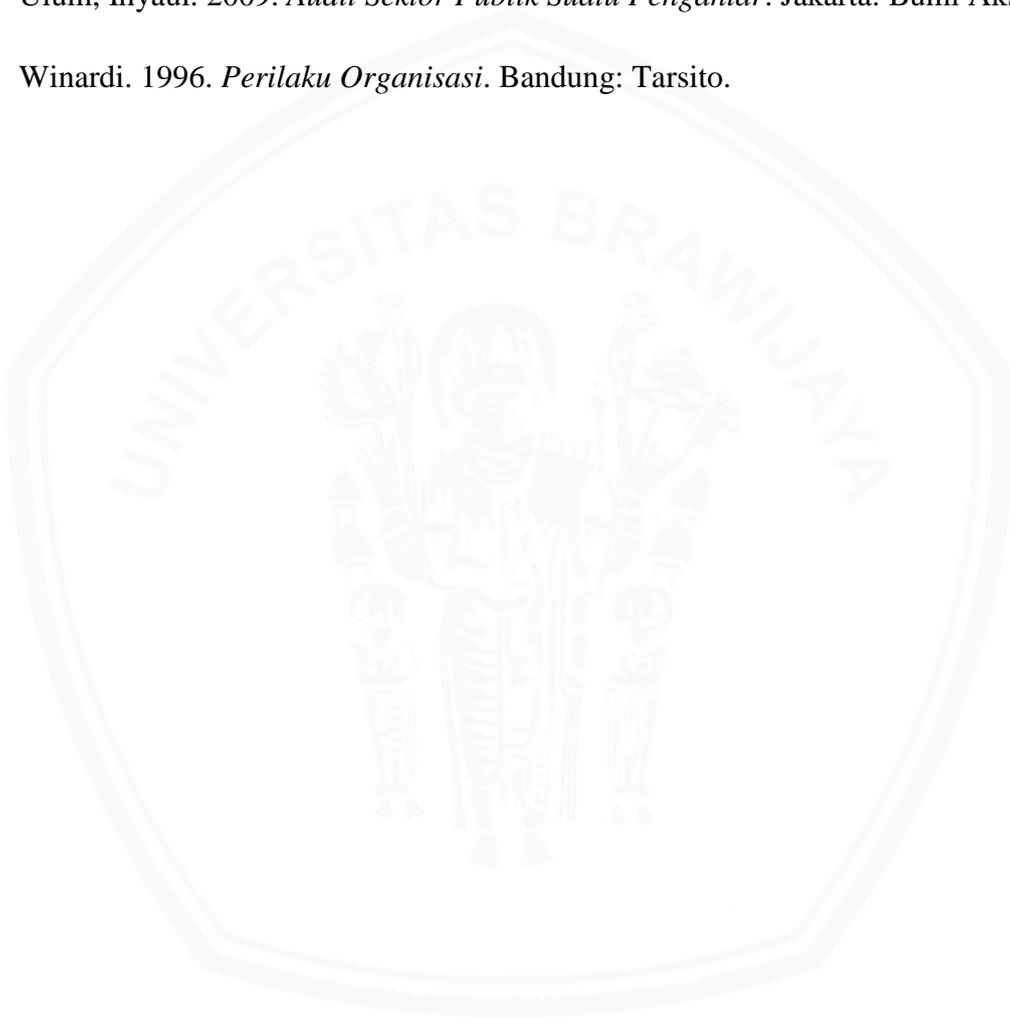
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## APPENDICES



On January, 17<sup>th</sup> 2018. The Complainants of *KTP*-electronic Service



On January, 17<sup>th</sup> 2018. With Mr. Achmad Fauzi, as Ombudsman's Assitant (Ombudsman's IT)



On January, 17<sup>th</sup> 2018. With Mr. Andi and Mrs. Desi Ratnasari, as Ombudsman's Assitant (Team 7)



On January, 17<sup>th</sup> 2018. With Mrs. Peppy, as Ombudsman's Assitant (Library)



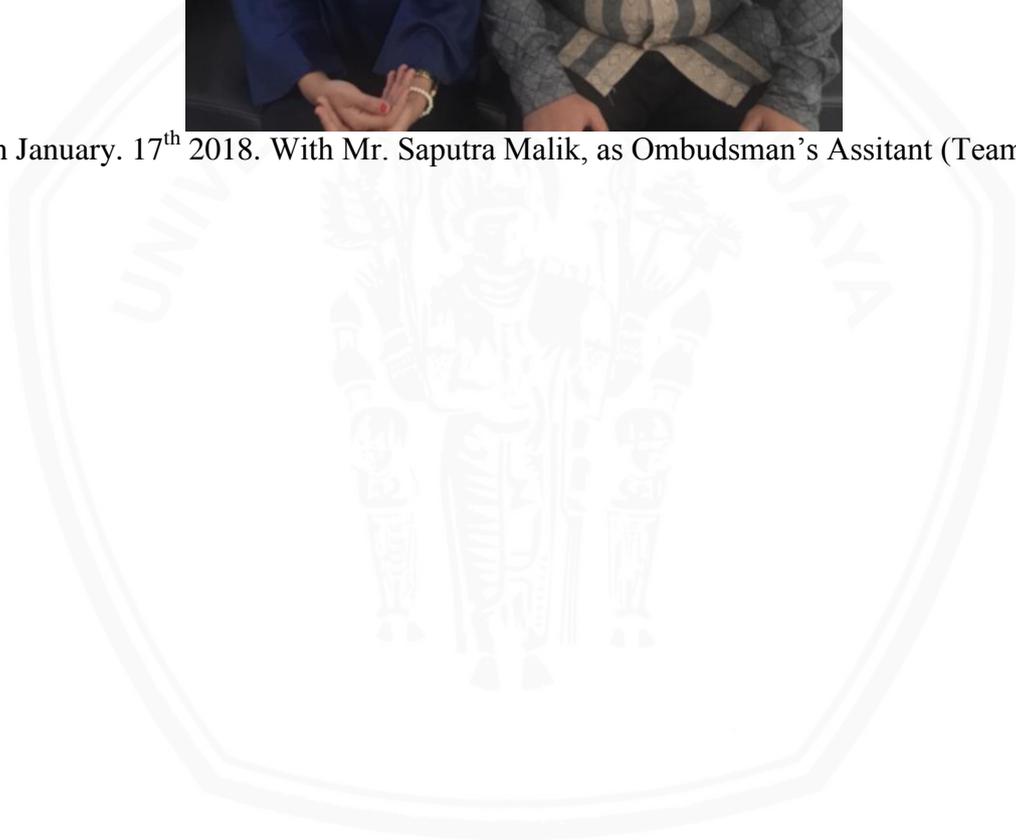
On January, 17<sup>th</sup> 2018. With Mrs. Siti S. Watun Hasanah, as Ombudsman's Assitant (Team 8)



On January, 17<sup>th</sup> 2018. With Mr. Asep Cahyana, as Ombudsman's Assistant (Team 8)



On January. 17<sup>th</sup> 2018. With Mr. Saputra Malik, as Ombudsman's Assitant (Team 8)





**OMBUDSMAN REPUBLIK INDONESIA  
SEKRETARIAT JENDERAL**

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Telah melakukan riset/survey di Kantor Ombudsman RI terkait skripsi dengan Judul "Optimalisasi Pengawasan Ombudsman Republik Indonesia terhadap Penyelenggaraan Pelayanan e-KTP di Indonesia (Studi di Ombudsman Republik Indonesia)".

Demikian surat keterangan ini dibuat untuk dipergunakan sebagaimana mestinya.

Jakarta, 19 Januari 2018

Plt. Kepala Bagian Kepegawaian dan  
Ketatausahaan,  
  
SLAMET RIYADI, S.Sos  
NIP. 196312151985031001

Tembusan Yth.:

- 1. Plt. Sekretaris Jenderal Ombudsman RI.
- 2. Kepala Biro Umum Ombudsman RI (sebagai laporan).





OMBUDSMAN REPUBLIK INDONESIA

SALINAN

PERATURAN OMBUDSMAN REPUBLIK INDONESIA

NOMOR 26 TAHUN 2017

TENTANG

TATA CARA PENERIMAAN, PEMERIKSAAN, DAN PENYELESAIAN LAPORAN

DENGAN RAHMAT TUHAN YANG MAHA ESA

KETUA OMBUDSMAN REPUBLIK INDONESIA,

Menimbang : bahwa untuk melaksanakan ketentuan Pasal 41 Undang-Undang Nomor 37 Tahun 2008 tentang Ombudsman Republik Indonesia dan Pasal 46 ayat (7) Undang-Undang Nomor 25 Tahun 2009 tentang Pelayanan Publik, perlu menetapkan Peraturan Ombudsman tentang Tata Cara Penerimaan, Pemeriksaan, dan Penyelesaian Laporan;

Mengingat : 1. Undang-Undang Nomor 37 Tahun 2008 tentang Ombudsman Republik Indonesia (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 139, Tambahan Lembaran Negara Republik Indonesia Nomor 4899);  
2. Undang-Undang Nomor 25 Tahun 2009 tentang Pelayanan Publik (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 112, Tambahan Lembaran Negara Republik Indonesia Nomor 5038);  
3. Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2014 Nomor 244, Tambahan Lembaran Negara Republik Indonesia Nomor 5587), sebagaimana telah beberapa kali diubah, terakhir dengan Undang-Undang Nomor 9 Tahun 2015 tentang Perubahan Kedua atas Undang-Undang Nomor 23 Tahun 2014 tentang

Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 58, Tambahan Lembaran Negara Republik Indonesia Nomor 6579).

MEMUTUSKAN:

Menetapkan : PERATURAN OMBUDSMAN TENTANG TATA CARA PENERIMAAN, PEMERIKSAAN, DAN PENYELESAIAN LAPORAN.

BAB I

KETENTUAN UMUM

Pasal 1

Dalam Peraturan Ombudsman ini yang dimaksud dengan:

1. Ombudsman Republik Indonesia yang selanjutnya disebut Ombudsman adalah lembaga negara yang mempunyai kewenangan mengawasi penyelenggaraan Pelayanan Publik baik yang diselenggarakan oleh penyelenggara negara dan pemerintahan termasuk yang diselenggarakan oleh Badan Usaha Milik Negara, Badan Usaha Milik Daerah, dan Badan Hukum Milik Negara serta badan swasta atau perseorangan yang diberi tugas menyelenggarakan Pelayanan Publik tertentu yang sebagian atau seluruh dananya bersumber dari anggaran pendapatan dan belanja negara dan/atau anggaran pendapatan dan belanja daerah.
2. Perwakilan Ombudsman Republik Indonesia yang selanjutnya disebut Perwakilan adalah Kantor Ombudsman di Provinsi atau Kabupaten/Kota yang mempunyai hubungan hirarkis dengan Ombudsman.
3. Asisten Ombudsman adalah pegawai yang diangkat oleh Ketua Ombudsman berdasarkan persetujuan rapat anggota Ombudsman untuk membantu Ombudsman dalam menjalankan fungsi, tugas, dan kewenangannya.
4. Pelayanan Publik adalah kegiatan atau rangkaian kegiatan dalam rangka pemenuhan kebutuhan pelayanan

sesuai dengan peraturan perundang-undangan bagi setiap warga negara atau penduduk atas barang, jasa, dan/atau pelayanan administrasi yang disediakan oleh penyelenggara Pelayanan Publik.

5. Penyelenggara Negara adalah pejabat yang menjalankan fungsi Pelayanan Publik yang tugas pokoknya berkaitan dengan penyelenggaraan negara sesuai dengan ketentuan peraturan perundang-undangan.
6. Maladministrasi adalah perilaku atau perbuatan melawan hukum, melampaui wewenang, menggunakan wewenang untuk tujuan lain dari yang menjadi tujuan wewenang tersebut, termasuk kelalaian atau pengabaian kewajiban hukum dalam penyelenggaraan Pelayanan Publik yang dilakukan oleh penyelenggara negara dan pemerintahan yang menimbulkan kerugian materiil dan/atau immateriil bagi masyarakat dan orang perseorangan.
7. Laporan adalah pengaduan atau penyampaian fakta yang diselesaikan atau ditindaklanjuti oleh Ombudsman yang disampaikan secara tertulis atau lisan oleh setiap orang yang telah menjadi korban Maladministrasi.
8. Pelapor adalah Warga Negara Indonesia atau penduduk yang memberikan Laporan kepada Ombudsman.
9. Kuasa Pelapor adalah perseorangan atau badan yang diberikan hak untuk mewakili pelapor dalam menyampaikan Laporan kepada Ombudsman.
10. Terlapor adalah penyelenggara negara, pemerintah atau badan swasta serta perseorangan yang diduga melakukan Maladministrasi yang dilaporkan kepada Ombudsman atau ditemukan pada saat Pemeriksaan.
11. Atasan Terlapor adalah pimpinan penyelenggara negara, pemerintah atau badan swasta serta perseorangan yang diduga melakukan Maladministrasi yang dilaporkan kepada Ombudsman.
12. Saksi adalah pihak yang mengetahui dan/atau terlibat atau mengalami secara langsung peristiwa atau

rangkaian peristiwa yang diduga merupakan tindakan Maladministrasi.

13. Klarifikasi adalah suatu tindakan yang bertujuan untuk memperoleh penjelasan dari terlapor, atasan terlapor, pelapor maupun saksi-saksi terkait dengan Laporan dugaan Maladministrasi yang disampaikan oleh Pelapor.
14. Pemeriksaan adalah serangkaian kegiatan yang dilakukan oleh Ombudsman dalam rangka memperoleh data, keterangan dan dokumen yang berguna untuk pembuktian dugaan Maladministrasi yang dilaporkan kepada Ombudsman.
15. Mediasi adalah proses penyelesaian sengketa Pelayanan Publik antar para pihak melalui bantuan, baik oleh Ombudsman sendiri maupun melalui mediator yang dibentuk oleh Ombudsman.
16. Konsiliasi adalah proses penyelesaian Laporan masyarakat yang dilakukan oleh konsiliator Ombudsman terkait penyelenggaraan Pelayanan Publik dengan tujuan untuk mencari penyelesaian yang dapat diterima kedua belah pihak melalui usulan kerangka penyelesaian oleh konsiliator Ombudsman.
17. Rekomendasi adalah kesimpulan, pendapat, dan saran yang disusun berdasarkan hasil investigasi Ombudsman kepada atasan terlapor untuk dilaksanakan dan/atau ditindaklanjuti dalam rangka peningkatan mutu penyelenggara administrasi pemerintah yang baik.
18. Resolusi adalah proses penyelesaian Laporan yang dilakukan melalui Konsiliasi, Mediasi, adjudikasi dan/atau penerbitan Rekomendasi setelah hasil Pemeriksaan menyatakan bahwa telah terjadi Maladministrasi oleh penyelenggara Pelayanan Publik.
19. Unit penerimaan dan verifikasi Laporan adalah unit yang bertugas melakukan penerimaan, pencatatan, dan verifikasi Laporan masyarakat.

20. Unit Pemeriksaan adalah unit yang bertugas melakukan Pemeriksaan untuk memperoleh kesimpulan atau pembuktian dugaan Maladministrasi.
21. Unit Resolusi dan Monitoring adalah unit yang bertugas mengkoordinasikan dan/atau melaksanakan proses Konsiliasi, Mediasi, ajudikasi dan/atau Rekomendasi terhadap Laporan masyarakat setelah menerima hasil Pemeriksaan dari unit Pemeriksaan serta melakukan proses monitoring terhadap hasil resolusi.
22. Syarat Formil adalah sejumlah hal administratif yang harus dipenuhi untuk menyampaikan Laporan kepada Ombudsman agar dapat ditindaklanjuti.
23. Syarat Materil adalah hal-hal yang bersifat substantif atau berkaitan dengan kewenangan Ombudsman yang harus dipenuhi untuk menyampaikan Laporan kepada Ombudsman agar dapat ditindaklanjuti.
24. Rapat Pleno adalah mekanisme pengambilan keputusan tertinggi yang dihadiri oleh setengah plus satu jumlah Anggota Ombudsman.
25. Rapat Perwakilan adalah rapat dengan agenda tertentu dan kuorum dihadiri oleh Kepala Perwakilan dan setengah plus satu jumlah Asisten.
26. Rekomendasi Penjatuhan Sanksi adalah Rekomendasi Ombudsman yang disampaikan kepada pejabat pemberi sanksi administratif.

## BAB II

### PENERIMAAN DAN VERIFIKASI LAPORAN

#### Pasal 2

- (1) Ombudsman menerima Laporan yang disampaikan dengan cara datang langsung, surat dan/atau surat elektronik, telepon, media sosial, dan media lainnya yang ditujukan langsung kepada Ombudsman.
- (2) Ombudsman dapat menerima Laporan yang disampaikan oleh pihak lain sebagai kuasa Pelapor dalam hal Pelapor tidak dapat menyampaikan Lapornya secara langsung

- kepada Ombudsman dengan menyertakan bukti surat kuasa.
- (3) Ombudsman dapat merahasiakan nama dan identitas Pelapor atas permintaan Pelapor dan/atau pertimbangan Ombudsman.
  - (4) Dalam hal Laporan disampaikan dengan cara datang langsung:
    - a. Pelapor wajib mengisi formulir penyerahan Laporan; dan
    - b. Penerima Laporan wajib memberikan tanda terima Laporan.
  - (5) Cara penyampaian Laporan sebagaimana dimaksud pada ayat (1) harus dicatat dalam agenda penerimaan Laporan untuk kepentingan pendataan.

#### Pasal 3

Laporan sebagaimana dimaksud dalam Pasal 2 ayat (1) dilakukan verifikasi syarat formil dan syarat materiil.

#### Pasal 4

- (1) Syarat formil dalam verifikasi Laporan sebagai berikut:
  - a. nama lengkap, tempat dan tanggal lahir, status perkawinan, pekerjaan, dan alamat lengkap Pelapor serta dilengkapi dengan fotokopi identitas;
  - b. surat kuasa, dalam hal penyampaian Laporan dikuasakan kepada pihak lain;
  - c. memuat uraian peristiwa, tindakan, atau keputusan yang dilaporkan secara rinci;
  - d. sudah menyampaikan Laporan secara langsung kepada pihak Terlapor atau atasannya tetapi Laporan tersebut tidak mendapat penyelesaian sebagaimana mestinya; dan
  - e. peristiwa, tindakan, atau keputusan yang dilaporkan belum lewat 2 (dua) tahun sejak peristiwa, tindakan, atau keputusan yang bersangkutan terjadi.

- (2) Dalam hal Laporan tidak memenuhi syarat formil, Ombudsman memberitahukan secara tertulis kepada Pelapor untuk melengkapi Laporan.
- (3) Apabila dalam waktu 30 (tiga puluh) hari kerja Pelapor tidak segera melengkapi dan menyampaikannya kepada Ombudsman maka Laporan dimaksud tidak perlu ditindaklanjuti dan Pelapor dianggap telah mencabut berkas Laporan.
- (4) Dalam hal Laporan memenuhi syarat formil, dilanjutkan dengan verifikasi syarat materiil.

#### Pasal 5

Syarat materiil dalam verifikasi Laporan sebagai berikut:

- a. substansi Laporan tidak sedang dan telah menjadi objek Pemeriksaan Pengadilan, kecuali Laporan tersebut menyangkut tindakan maladministrasi dalam proses Pemeriksaan di Pengadilan;
- b. Laporan tidak sedang dalam proses penyelesaian oleh instansi yang dilaporkan dan menurut Ombudsman, proses penyelesaiannya masih dalam tenggang waktu yang patut;
- c. Pelapor belum memperoleh penyelesaian dari instansi yang dilaporkan;
- d. substansi yang dilaporkan sesuai dengan ruang lingkup kewenangan Ombudsman; dan
- e. substansi yang dilaporkan sedang dan/atau telah ditindaklanjuti oleh Ombudsman.

#### Pasal 6

- (1) Verifikasi syarat formil dan materiil dilakukan oleh unit penerimaan dan verifikasi Laporan.
- (2) Hasil verifikasi syarat materiil disusun dalam bentuk ringkasan hasil verifikasi.
- (3) Ringkasan hasil verifikasi paling sedikit memuat:
  - a. identitas Pelapor;
  - b. Terlapor;

- c. dugaan maladministrasi;
  - d. kronologi Laporan; dan/atau
  - e. kesimpulan.
- (4) Ringkasan hasil verifikasi disampaikan dalam Rapat Pleno atau Rapat Perwakilan untuk diputuskan tindak lanjutnya.

#### Pasal 7

Kesimpulan sebagaimana dimaksud dalam Pasal 6 ayat (3) huruf e berupa:

- a. Ombudsman tidak berwenang melanjutkan Pemeriksaan dalam hal Laporan tidak memenuhi syarat materiil; atau
- b. Ombudsman berwenang melanjutkan Pemeriksaan dalam hal Laporan memenuhi syarat materiil.

#### Pasal 8

- (1) Dalam hal Ombudsman tidak berwenang melanjutkan Pemeriksaan sebagaimana dimaksud dalam Pasal 7 huruf a, dituangkan dalam keputusan rapat untuk diberitahukan secara tertulis kepada Pelapor.
- (2) Dalam hal Ombudsman berwenang melanjutkan Pemeriksaan sebagaimana dimaksud dalam Pasal 7 huruf b, Ombudsman dapat melakukan penugasan atau penyerahan Laporan.
- (3) Tahap Pemeriksaan dimulai setelah pemberian nomor registrasi.

#### Pasal 9

- (1) Penugasan sebagaimana dimaksud dalam Pasal 8 ayat (2) dilakukan oleh Ombudsman kepada Perwakilan dalam hal dugaan Maladministrasi yang dilaporkan berada di bawah kewenangan Terlapor yang berada di wilayah kerja Perwakilan.
- (2) Penyerahan Laporan sebagaimana dimaksud dalam Pasal 8 ayat (2) dilakukan oleh Perwakilan kepada Pusat dalam hal dugaan Maladministrasi yang dilaporkan berada di

bawah kewenangan Terlapor yang berada di luar wilayah kerja Perwakilan penerima Laporan.

#### Pasal 10

Surat yang bersifat tembusan Laporan yang ditujukan kepada instansi penyelenggara diatur lebih lanjut dengan Peraturan Ketua Ombudsman.

### BAB III

#### PEMERIKSAAN LAPORAN

##### Bagian Pertama

##### Maladministrasi

#### Pasal 11

Bentuk-bentuk Maladministrasi meliputi:

- a. penundaan berlarut, merupakan perbuatan mengulur waktu penyelesaian layanan atau memberikan layanan melebihi baku mutu waktu dari janji layanan;
- b. tidak memberikan pelayanan, merupakan perilaku mengabaikan tugas layanan sebagian atau keseluruhan kepada masyarakat yang berhak atas layanan tersebut;
- c. tidak kompeten, merupakan penyelenggara layanan yang memberikan layanan tidak sesuai dengan kompetensi;
- d. penyalahgunaan wewenang, merupakan perbuatan melampaui wewenang, melawan hukum, dan/atau penggunaan wewenang untuk tujuan lain dari tujuan wewenang tersebut dalam proses Pelayanan Publik;
- e. penyimpangan prosedur, merupakan penyelenggaraan layanan publik yang tidak sesuai dengan alur/prosedur layanan;
- f. permintaan imbalan, merupakan permintaan imbalan dalam bentuk uang, jasa maupun barang secara melawan hukum atas layanan yang diberikan kepada pengguna layanan;

- g. tidak patut, merupakan perilaku yang tidak layak dan patut yang dilakukan oleh penyelenggara layanan publik dalam memberikan layanan yang baik kepada masyarakat pengguna layanan;
- h. berpihak, merupakan keberpihakan dalam penyelenggaraan layanan publik yang memberikan keuntungan dalam bentuk apapun kepada salah satu pihak dan merugikan pihak lainnya atau melindungi kepentingan salah satu pihak tanpa memperhatikan kepentingan pihak lainnya;
- i. diskriminasi, merupakan pemberian layanan secara berbeda, perlakuan khusus atau tidak adil di antara sesama pengguna layanan; dan
- j. konflik kepentingan, merupakan penyelenggaraan layanan publik yang dipengaruhi karena adanya hubungan kelompok, golongan, suku atau hubungan kekeluargaan baik secara hubungan darah maupun karena hubungan perkawinan sehingga layanan yang diberikan tidak sebagaimana mestinya.

#### Pasal 12

- (1) Pembuktian dugaan Maladministrasi dalam proses Pemeriksaan Laporan dilakukan untuk menemukan bukti materil dan/atau formil yang mendukung terpenuhinya unsur Maladministrasi.
- (2) Bukti dalam Pemeriksaan Laporan berupa:
  - a. surat/dokumen;
  - b. keterangan:
    - 1. Pelapor;
    - 2. Terlapor;
    - 3. Saksi;
    - 4. pihak terkait; dan
    - 5. ahli.
  - c. informasi/data elektronik; dan
  - d. barang.

- (3) Laporan dinyatakan ditemukan Maladministrasi apabila dalam Pemeriksaan terdapat kesesuaian antara peristiwa/kejadian dengan petunjuk dan alat bukti yang dikumpulkan.

Bagian Kedua  
Pemeriksaan Dokumen

Pasal 13

- (1) Dalam hal kesimpulan Ombudsman berwenang melanjutkan Pemeriksaan sebagaimana dimaksud dalam Pasal 7 huruf b maka dilakukan Pemeriksaan dokumen.
- (2) Hasil Pemeriksaan dokumen dituangkan dalam Laporan hasil Pemeriksaan dokumen.
- (3) Laporan hasil Pemeriksaan dokumen sebagaimana dimaksud pada ayat (2) paling sedikit memuat:
  - a. nomor dan tanggal registrasi;
  - b. identitas Pelapor;
  - c. Terlapor;
  - d. kronologi Laporan;
  - e. substansi Laporan;
  - f. dugaan Maladministrasi;
  - g. harapan Pelapor;
  - h. peraturan terkait;
  - i. data pendukung sementara;
  - j. analisis;
  - k. kesimpulan sementara; dan
  - l. tindak lanjut.
- (4) Unit Pemeriksaan melakukan bedah Laporan sebelum menetapkan Laporan hasil Pemeriksaan dokumen beserta keputusan tindak lanjut.
- (5) Tindak lanjut sebagaimana dimaksud pada ayat (3) huruf merupakan bentuk tindakan yang akan dilakukan Ombudsman, meliputi:
  - a. permintaan data;
  - b. permintaan Klarifikasi;

- c. pemanggilan;
- d. Pemeriksaan lapangan;
- e. Konsiliasi; atau
- f. menghentikan Pemeriksaan.

#### Pasal 14

- (1) Pemeriksaan dapat dihentikan dalam hal substansi Laporan diketahui bukan wewenang Ombudsman, atau disimpulkan tidak ditemukan Maladministrasi.
- (2) Keputusan penghentian Pemeriksaan sebagaimana dimaksud pada ayat (1) disampaikan kepada Pelapor dalam waktu 7 (tujuh) hari kerja sejak Laporan hasil Pemeriksaan dokumen ditandatangani oleh Ketua atau Kepala Perwakilan.
- (3) Tindak lanjut Laporan dengan permintaan data dapat dilakukan dalam hal masih diperlukan informasi tambahan dari Pelapor.
- (4) Ombudsman dapat menyampaikan pemberitahuan secara tertulis dan/atau lisan mengenai perkembangan penyelesaian Laporan kepada Pelapor.

#### Bagian Ketiga

#### Klarifikasi dan Pemanggilan

#### Pasal 15

- (1) Permintaan Klarifikasi sebagaimana dimaksud dalam Pasal 13 ayat (5) huruf b dapat dilakukan dengan meminta penjelasan secara tertulis maupun secara langsung.
- (2) Permintaan Klarifikasi sebagaimana dimaksud pada ayat (1) dilakukan oleh:
  - a. Deputi/Koordinator Bidang Penyelesaian Laporan yang dapat didelegasikan kepada Koordinator Tim Pemeriksaan;
  - b. Penanggung jawab penyelesaian Laporan di Perwakilan.

Pasal 16

- (1) Permintaan Klarifikasi tertulis sebagaimana dimaksud dalam Pasal 15 ayat (1) disampaikan kepada Terlapor, Atasan Terlapor dan pihak terkait lainnya.
- (2) Terlapor dan/atau Atasan Terlapor wajib menjawab permintaan Klarifikasi Ombudsman secara tertulis dalam waktu paling lambat 14 (empat belas) hari kerja sejak diterimanya surat permintaan Klarifikasi tersebut.
- (3) Apabila dalam waktu 14 (empat belas) hari kerja sebagaimana pada ayat (2) Terlapor dan/atau Atasan Terlapor tidak memberi penjelasan, Ombudsman menyampaikan permintaan Klarifikasi kedua secara tertulis.
- (4) Terlapor dan/atau Atasan Terlapor wajib menjawab permintaan Klarifikasi kedua dalam waktu paling lambat 14 (empat belas) hari kerja sejak diterimanya surat permintaan Klarifikasi tersebut.
- (5) Dalam hal Ombudsman memerlukan penjelasan atas jawaban Klarifikasi tertulis, Ombudsman dapat mengadakan pertemuan dengan Terlapor dan/atau Atasan Terlapor.
- (6) Dalam hal diperlukan Klarifikasi secara cepat, mendalam dan akurat, Ombudsman dapat melakukan Klarifikasi secara langsung sebagaimana dimaksud dalam Pasal 15 ayat (1), dengan pemberitahuan secara tertulis.
- (7) Hak jawab dianggap tidak digunakan, apabila Terlapor dan/atau Atasan Terlapor tidak memberikan jawaban Klarifikasi.

Pasal 17

- (1) Dalam melakukan Pemeriksaan, Ombudsman dapat melakukan pemanggilan secara tertulis kepada Terlapor.
- (2) Pemanggilan sebagaimana dimaksud pada ayat (1) dilakukan sebanyak 3 (tiga) kali dengan jangka waktu masing-masing 14 (empat belas) hari kerja terhitung sejak tanggal diterimanya surat panggilan.

- (3) Dalam hal Terlapor tidak memenuhi panggilan Ombudsman dengan alasan yang sah, dilakukan penghadiran secara paksa dengan bantuan pihak kepolisian.
- (4) Dalam hal Terlapor tidak bersedia memberikan penjelasan maka Terlapor dianggap menghalangi Pemeriksaan yang dilakukan oleh Ombudsman.
- (5) Ketidaksediaan memberikan penjelasan sebagaimana dimaksud pada ayat (4) dituangkan dalam berita acara.

#### Pasal 18

Tata cara penghadiran paksa sebagaimana dimaksud dalam Pasal 17 ayat (3) dan penyampaian Laporan mengenai upaya menghalangi Pemeriksaan oleh Ombudsman dilaksanakan berdasarkan nota kesepahaman Ombudsman dengan Kepolisian Republik Indonesia.

#### Bagian Keempat Pemeriksaan Lapangan

#### Pasal 19

- (1) Pemeriksaan lapangan sebagaimana dimaksud dalam Pasal 13 ayat (5) huruf d dilakukan dalam hal permasalahan yang dilaporkan memerlukan pembuktian secara visual, memastikan substansi permasalahan, dan memperoleh penjelasan dari pihak terkait.
- (2) Pemeriksaan lapangan dilakukan dengan tahapan meliputi:
  - a. tahap persiapan;
  - b. tahap pelaksanaan; dan
  - c. tahap pelaporan.

#### Pasal 20

- (1) Persiapan Pemeriksaan lapangan sebagaimana dimaksud dalam Pasal 19 ayat (2) huruf a terdiri atas:
  - a. penyusunan kerangka acuan Pemeriksaan lapangan;

- b. penyusunan lembar kerja Pemeriksaan lapangan; dan
  - c. pembentukan tim Pemeriksaan lapangan;
- (2) Kerangka acuan Pemeriksaan lapangan sebagaimana dimaksud pada ayat (1) huruf a paling sedikit memuat:
- a. jumlah tim pemeriksa lapangan;
  - b. daftar pihak yang akan diminta keterangan;
  - c. daftar pertanyaan;
  - d. objek yang akan diperiksa;
  - e. metode Pemeriksaan lapangan; dan
  - f. jangka waktu Pemeriksaan lapangan.
- (3) Tim Pemeriksaan lapangan sebagaimana dimaksud pada ayat (1) huruf c ditetapkan oleh Ketua Ombudsman atau Kepala Perwakilan melalui surat tugas.
- (4) Dalam hal Laporan ditangani perwakilan dan memerlukan Pemeriksaan lapangan yang objeknya berlokasi di Jakarta atau di luar wilayah kerjanya, terlebih dahulu memperoleh persetujuan Ombudsman.

#### Pasal 21

- (1) Pemeriksaan lapangan dilakukan dengan metode terbuka dan/atau tertutup.
- (2) Tim Pemeriksaan lapangan dilengkapi dengan surat tugas dan kartu identitas Ombudsman.
- (3) Terhadap 1 (satu) Laporan masyarakat, Pemeriksaan lapangan dilakukan paling banyak 2 (dua) kali dan apabila diperlukan Pemeriksaan kembali harus melalui gelar Laporan yang dihadiri paling sedikit oleh 2 (dua) Anggota atau rapat penyelesaian Laporan di Perwakilan.

#### Pasal 22

- (1) Pemeriksaan lapangan secara terbuka dapat didahului dengan penyampaian surat pemberitahuan kepada instansi Terlapor.
- (2) Pemeriksaan lapangan secara terbuka dapat dilakukan untuk beberapa Laporan masyarakat secara bersamaan.

- (3) Dalam hal tertentu dengan memperhatikan perkembangan di lapangan, Pemeriksaan terbuka dapat dilanjutkan dengan Konsultasi.

#### Pasal 23

- (1) Pemeriksaan lapangan secara tertutup dilakukan tanpa pemberitahuan kepada Terlapor.
- (2) Pemeriksaan lapangan secara tertutup hanya dilakukan untuk memperoleh bukti secara langsung terhadap permasalahan yang dilaporkan.

#### Pasal 24

- (1) Hasil Pemeriksaan lapangan dituangkan dalam Laporan hasil Pemeriksaan lapangan.
- (2) Laporan hasil Pemeriksaan lapangan sebagaimana dimaksud pada ayat (1) paling sedikit memuat:
  - a. substansi Laporan;
  - b. kegiatan yang dilakukan;
  - c. temuan;
  - d. penjelasan Pelapor, Terlapor, Atasan Terlapor dan/atau pihak terkait, apabila Pemeriksaan lapangan dilakukan secara terbuka;
  - e. kesimpulan; dan
  - f. rencana tindak lanjut, termasuk prospek penyelesaian.
- (3) Laporan hasil Pemeriksaan lapangan disusun paling lambat 10 (sepuluh) hari kerja sejak selesainya kegiatan Pemeriksaan lapangan.

Bagian Kelima  
Laporan Akhir Hasil Pemeriksaan (LAHP)

Pasal 25

- (1) Keseluruhan hasil Pemeriksaan Laporan disusun dalam Laporan Akhir Hasil Pemeriksaan (LAHP).
- (2) Laporan Akhir Hasil Pemeriksaan (LAHP) paling sedikit memuat:
  - a. identitas Pelapor;
  - b. uraian Laporan;
  - c. Pemeriksaan yang telah dilakukan;
  - d. analisis peraturan terkait;
  - e. kesimpulan, berupa ditemukan bentuk Maladministrasi atau tidak ditemukan Maladministrasi; dan
  - f. tindakan korektif yang dapat dilakukan.
- (3) Terhadap Pelapor yang identitasnya dirahasiakan, maka Laporan Akhir Hasil Pemeriksaan (LAHP) tidak menyebutkan identitas Pelapor.
- (4) Unit Pemeriksaan melakukan bedah Laporan sebelum menetapkan Laporan Akhir Hasil Pemeriksaan (LAHP) dengan melibatkan Anggota atau Kepala Perwakilan.
- (5) Laporan Akhir Hasil Pemeriksaan (LAHP) yang menyatakan tidak ditemukan Maladministrasi disampaikan kepada Pelapor dengan tembusan kepada Terlapor.
- (6) Laporan Akhir Hasil Pemeriksaan (LAHP) yang menyatakan ditemukan adanya bentuk Maladministrasi, Ombudsman menyampaikan kepada Terlapor dan meminta tanggapan.
- (7) Terhadap Laporan Akhir Hasil Pemeriksaan (LAHP) sebagaimana dimaksud pada ayat (6) namun tidak memperoleh tindak lanjut dari Terlapor maka diserahkan kepada Unit Resolusi dan Monitoring untuk diambil langkah penyelesaian.

Bagian Keenam  
Respon Cepat Ombudsman

Pasal 26

- (1) Respon cepat Ombudsman adalah mekanisme penyelesaian Laporan masyarakat yang dilaksanakan dalam kondisi darurat.
- (2) Kriteria Laporan yang bisa ditindaklanjuti dengan respon cepat Ombudsman berupa:
  - a. kondisi darurat;
  - b. mengancam keselamatan jiwa; atau
  - c. mengancam hak hidup.

Pasal 27

- (1) Respon cepat Ombudsman ditetapkan sebagai penyelesaian Laporan dilakukan dengan mekanisme berupa Klarifikasi langsung, Pemeriksaan lapangan, atau Mediasi/Konsiliasi sebelum proses Pemeriksaan dokumen sebagaimana dimaksud dalam Pasal 13.
- (2) Penyelesaian dengan mekanisme respon cepat Ombudsman dilakukan setelah memperoleh persetujuan Deputi/Koordinator Bidang Penyelesaian Laporan atau Kepala Perwakilan.
- (3) Pelaksanaan Klarifikasi langsung, Pemeriksaan lapangan, atau Mediasi/Konsiliasi pada respon cepat Ombudsman dilaksanakan sesuai dengan kaidah sebagaimana diatur dalam ketentuan Ketentuan Peraturan Ombudsman ini.

BAB IV  
PENYELESAIAN LAPORAN

Bagian Kesatu  
Penyelesaian dan Penutupan Laporan

Pasal 28

- (1) Laporan dinyatakan selesai apabila:
  - a. telah memperoleh penyelesaian dari Terlapor;
  - b. tidak ditemukan Maladministrasi;
  - c. Laporan dalam proses penyelesaian oleh instansi dalam tenggang waktu yang patut;
  - d. Ombudsman tidak berwenang melanjutkan Pemeriksaan;
  - e. substansi yang dilaporkan ternyata bukan wewenang Ombudsman;
  - f. substansi telah atau sedang menjadi objek Pemeriksaan di Pengadilan;
  - g. telah mencapai kesepakatan dalam Konsiliasi dan/atau Mediasi; atau
  - h. telah diterbitkan Rekomendasi.
- (2) Laporan dapat ditutup pada setiap tahapan penyelesaian Laporan apabila:
  - a. Pelapor mencabut Laporan;
  - b. Laporan dinyatakan selesai sebagaimana dimaksud pada ayat (1) huruf a sampai dengan huruf g;
  - c. Rekomendasi telah dilaksanakan; atau
  - d. Rekomendasi tidak dilaksanakan dan telah dipublikasikan atau telah dilaporkan kepada Dewan Perwakilan Rakyat dan Presiden.

Pasal 29

- (1) Laporan dapat dicabut oleh Pelapor atau kuasa Pelapor dengan surat pencabutan yang ditujukan kepada Ombudsman.

- (2) Pelapor yang telah mencabut Lapornya sebagaimana dimaksud pada ayat (1) tidak dapat menyampaikan kembali Laporan yang sama.

Bagian Kedua  
Mediasi dan Konsiliasi

Pasal 30

- (1) Dalam hal penyelesaian Laporan dapat dilakukan melalui Konsiliasi pada tahap Pemeriksaan, fasilitasi dilakukan oleh Unit Pemeriksaan.
- (2) Dalam hal penyelesaian Laporan dapat dilakukan melalui Konsiliasi setelah tahap Pemeriksaan, fasilitasi dilakukan oleh Unit Resolusi.

Pasal 31

- (1) Dalam hal Laporan dapat ditindaklanjuti melalui Mediasi, Unit Pemeriksaan dapat mengusulkan penyelesaian secara tertulis kepada Unit Resolusi.
- (2) Dalam waktu paling lama 7 (tujuh) hari kerja, Unit Resolusi memutuskan dapat atau tidaknya Laporan diselesaikan melalui Mediasi.

Pasal 32

- (1) Proses penyelesaian Laporan dapat dilakukan melalui Mediasi dan/atau Konsiliasi atas permintaan para pihak atau prakarsa Ombudsman.
- (2) Ombudsman, diwakili oleh Unit Resolusi atau Kepala Perwakilan berhak menentukan mekanisme alternatif Resolusi melalui Mediasi dan/atau Konsiliasi dengan persetujuan para pihak.

Pasal 33

Kriteria Laporan yang dapat diselesaikan melalui Mediasi atau Konsiliasi adalah Laporan yang merupakan sengketa hak atas layanan, dan:

- a. Laporan yang timbul karena adanya dampak kerugian yang dialami Pelapor; atau
- b. Laporan yang melibatkan banyak pihak dan/atau unsur-unsur masyarakat lain yang terdampak oleh kebijakan penyelesaian Laporan.

#### Pasal 34

- (1) Mediator dan konsiliator Ombudsman yaitu Anggota, Kepala Perwakilan dan/atau Asisten yang bertugas berdasarkan surat tugas Ketua.
- (2) Apabila terdapat keberatan dari salah satu pihak atas mediator atau konsiliator yang ditunjuk, Ketua menunjuk mediator atau konsiliator pengganti.

#### Pasal 35

- (1) Prosedur penyelenggaraan Mediasi dan Konsiliasi meliputi:
  - a. Mediator dan/atau konsiliator menyusun rencana pelaksanaan Mediasi dan/atau Konsiliasi;
  - b. Mediator dan/atau konsiliator melaksanakan Mediasi dan/atau Konsiliasi;
  - c. Mediator dan/atau konsiliator membuat berita acara Mediasi dan/atau Konsiliasi;
  - d. Mediator dan/atau Konsiliator menyusun Laporan Mediasi dan/atau Konsiliasi; dan
  - e. Monitoring pelaksanaan hasil Mediasi dan/atau Konsiliasi.
- (2) Pedoman pelaksanaan Mediasi dan Konsiliasi diatur lebih lanjut dengan Keputusan Ketua Ombudsman.

#### Bagain Ketiga

#### Rekomendasi

#### Pasal 36

Rekomendasi Ombudsman dikeluarkan, apabila:

- a. Mediasi dan/atau Konsiliasi gagal dilaksanakan;

- b. Mediasi dan/atau Konsiliasi tidak mencapai kesepakatan; atau
- c. ditemukan bentuk Maladministrasi.

#### Pasal 37

- (1) Rekomendasi paling sedikit memuat:
  - a. uraian tentang Laporan yang disampaikan kepada Ombudsman;
  - b. uraian tentang hasil Pemeriksaan;
  - c. bentuk Maladministrasi yang terjadi; dan
  - d. kesimpulan dan pendapat Ombudsman mengenai hal-hal yang perlu dilaksanakan Terlapor, Atasan Terlapor dan/atau pihak terkait.
- (2) Format Rekomendasi paling sedikit memuat:
  - a. nomor dan tanggal Rekomendasi;
  - b. identitas para pihak terkait;
  - c. alasan serta perkembangan Rekomendasi;
  - d. substansi Rekomendasi; dan
  - e. tanda tangan Ketua Ombudsman.

#### Bagian Keempat Ajudikasi Khusus

#### Pasal 38

- (1) Ajudikasi khusus dapat dilakukan untuk Laporan terkait penyelesaian ganti rugi yang tidak dapat diselesaikan dengan Mediasi dan/atau Konsiliasi.
- (2) Ajudikasi khusus dilakukan setelah proses Pemeriksaan yang menyatakan ditemukan Maladministrasi.

#### Pasal 39

Ketentuan lebih lanjut mengenai ajudikasi diatur dengan Peraturan Ombudsman.

BAB V  
MONITORING PENYELESAIAN LAPORAN

Bagian Kesatu  
Bentuk Monitoring Ombudsman

Pasal 40

Proses monitoring penyelesaian Laporan Ombudsman meliputi:

- a. monitoring pelaksanaan Rekomendasi;
- b. monitoring pelaksanaan kesepakatan Mediasi; dan/atau
- c. Konsiliasi.

Bagian Kedua  
Monitoring Pelaksanaan Rekomendasi

Pasal 41

- (1) Ombudsman dapat meminta keterangan Terlapor dan/atau Atasan Terlapor, dan melakukan Pemeriksaan lapangan untuk memastikan pelaksanaan Rekomendasi.
- (2) Pemantauan pelaksanaan Rekomendasi dilaksanakan dalam rentang waktu 60 (enam puluh) hari kerja terhitung sejak tanggal diterimanya Rekomendasi.
- (3) Ombudsman melakukan pemantauan pelaksanaan Rekomendasi oleh Terlapor dan/atau Atasan Terlapor untuk menyatakan Terlapor dan/atau Atasan Terlapor telah melaksanakan Rekomendasi, melaksanakan sebagian Rekomendasi atau tidak melaksanakan Rekomendasi.
- (4) Apabila dalam waktu 60 (enam puluh) hari kerja Rekomendasi tidak dilaksanakan atau dilaksanakan sebagian, dan dengan alasan yang tidak patut, Ombudsman menyampaikan Rekomendasi Penjatuhan Sanksi kepada pejabat 2 (dua) tingkat di atas Terlapor atau pejabat yang dapat menjatuhkan sanksi administratif.

- (5) Apabila Terlapor dan/atau Atasan Terlapor tidak melaksanakan Rekomendasi, atau hanya melaksanakan sebagian Rekomendasi, Ombudsman dapat menyampaikan Laporan kepada DPR dan Presiden atau DPRD dan Kepala Daerah.
- (6) Ombudsman dapat mempublikasikan Terlapor dan/atau Atasan Terlapor yang tidak melaksanakan Rekomendasi atau melaksanakan sebagian Rekomendasi tanpa alasan yang patut oleh Ombudsman.
- (7) Prosedur monitoring Rekomendasi diatur lebih lanjut dengan Keputusan Ketua Ombudsman.

Bagian Ketiga  
Monitoring Pelaksanaan Hasil Kesepakatan  
Mediasi/Konsiliasi

Pasal 42

- (1) Ombudsman memantau hasil kesepakatan Mediasi/Konsiliasi sesuai dengan berita acara kesepakatan.
- (2) Monitoring hasil kesepakatan Mediasi/Konsiliasi dilaksanakan dalam rentang waktu 30 (tiga puluh) hari kerja terhitung sejak tanggal kesepakatan ditandatangani.
- (3) Monitoring hasil kesepakatan Mediasi/Konsiliasi dilakukan melalui:
  - a. permintaan keterangan kepada Pelapor, Terlapor, atau Atasan Terlapor;
  - b. Pemeriksaan lapangan; dan/atau
  - c. permintaan bukti dan/atau dokumen terkait.
- (4) Apabila hasil kesepakatan Mediasi/Konsiliasi tidak dilaksanakan atau dilaksanakan sebagian maka Ombudsman menindaklanjuti dengan menerbitkan Rekomendasi.

BAB VI  
KETENTUAN PENUTUP

Pasal 43

Pada saat Peraturan Ombudsman ini mulai berlaku, Peraturan Ombudsman Republik Indonesia Nomor 2 Tahun 2009 tentang Tata Cara Pemeriksaan dan Penyelesaian Laporan, dicabut dan dinyatakan tidak berlaku.

Pasal 44

Peraturan Ombudsman ini mulai berlaku pada tanggal diundangkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Ombudsman ini dengan penempatannya dalam Berita Negara Republik Indonesia.

Ditetapkan di Jakarta  
pada tanggal 24 Juli 2017

KETUA OMBUDSMAN REPUBLIK INDONESIA,

TTD.

AMZULIAN RIFAI

Diundangkan di Jakarta  
pada tanggal 27 Juli 2017

DIREKTUR JENDERAL  
PERATURAN PERUNDANG-UNDANGAN  
KEMENTERIAN HUKUM DAN HAK ASASI MANUSIA  
REPUBLIK INDONESIA,

TTD.

WIDODO EKATJAHJANA

BERITA NEGARA REPUBLIK INDONESIA TAHUN 2017 NOMOR 1035

Salinan sesuai dengan aslinya  
Plt. SEKRETARIS JENDERAL  
OMBUDSMAN REPUBLIK INDONESIA,

  
↓ DR. HARTOYO, S.H, M.Hum, M.Si  
NIP. 196209021982031002

## CURRICULUM VITAE

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 Place and Date of Birth : Tangerang, June 10th 1996  
 Address : Angkasa Pura 2 Regency, Sepinggan Street, Tangerang city  
 Gender : Female  
 Religion : Islam



### FORMAL EDUCATION

#### ELEMENTARY SCHOOL

2002 – 2008 | Kartini Elementary School

#### JUNIOR HIGH SCHOOL

2008 – 2011 | 16 Junior High School, Tangerang

#### SENIOR HIGH SCHOOL

2011 – 2014 | 7 Senior High School, Tangerang

#### BACHELOR DEGREE

2014 – 2018 | University of Brawijaya  
 Public Administration

### ACHIEVEMENTS

- 2014 | 2nd Winner of Speech Contest in Banten Province
- 2015 | Delegates of AYCE(Asean of Youth Cultural Exposure) in Thailand
- 2015 | Scholarship Assistance Education Cost-Improving Academic Achievement by Gov.