

Village Asset Management in Toll Road Development: An Analysis of Permendagri No. 3 of 2024 Amending Permendagri No. 1 of 2016 in Central Java Province

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Abstract

This study aims to analyze the management of village assets affected by toll road construction in Central Java Province based on Minister of Home Affairs Regulation (Permendagri) Number 3 of 2024, which amends Permendagri Number 1 of 2016 on Village Asset Management, as well as to identify the obstacles encountered in its implementation. The research employs a normative juridical method with a conceptual approach, is descriptive-analytical in nature, and relies on secondary data consisting of primary, secondary, and tertiary legal materials analyzed qualitatively. The findings reveal that the management of village assets affected by toll road development is carried out through stages of inventory, planning, procurement, disposal, and transfer, guided by the principles of effectiveness, transparency, accountability, and legal certainty as stipulated in Articles 10, 11, and 19 of Permendagri Number 3 of 2024. Major challenges include difficulties in finding substitute land, unclear technical procedures, and discrepancies in asset valuation, often leading to disputes that must be settled through court proceedings. The novelty of this study lies in its focus on village assets—particularly treasury land (tanah kas desa)—which has been largely overlooked in previous research on land acquisition for toll roads, as most prior studies emphasize individual land rights under Law Number 2 of 2012. Accordingly, this research underscores the need for strengthened technical regulations and inter-institutional coordination to ensure legal certainty, protect village rights, and promote fair and sustainable asset management in the context of toll road development.

Keywords: Village Asset Management; Toll Road Construction; Legal Certainty

1. INTRODUCTION

Toll road development is one of the government's strategic agendas to improve community mobility in both economic and social sectors more rapidly and efficiently. Such projects are not only intended to reduce traffic congestion and accelerate regional connectivity but are also expected to serve as drivers of national economic growth.¹ To keep pace with the increasing mobility of the community, the government is undertaking major projects such as the construction of the Trans Java toll road.

In Central Java Province, the construction of the Trans Java Toll Road, including the Solo–Ngawi section crossing Sragen, Karanganyar, and Boyolali regencies, has brought significant benefits while simultaneously raising new challenges. One of the critical issues concerns land acquisition involving tanah kas desa (village treasury land), which forms part of village assets and plays a strategic role in governance, development, and community services.²

¹Ina Revayanti, "The Impact Of The Construction Of The Bocimi Toll Road On The Social, Economic Community In Sukabumi Regency," *Geoplanart* 2, No. 2 (2020): 75-88.

²Septian Andi Prasetyo And Ahmad Djunaedi, "Changes In Regional Development Before And After Toll Road Construction," *Jurnal Litbang Sukowati: Research And Development Media* 3, No. 1 (2019): 14.

Minister of Home Affairs Regulation (Permendagri) Number 3 of 2024, amending Permendagri Number 1 of 2016, was enacted to provide legal certainty in the management of village assets, including treasury land affected by toll road construction. The regulation stipulates stages of identification, planning, disposal, and compensation mechanisms to be carried out based on the principles of effectiveness, transparency, accountability, and legal certainty. However, its implementation still faces a number of obstacles, such as difficulties in finding substitute land, a lack of clarity in technical procedures, and discrepancies in determining the economic value of assets. These challenges often lead to disputes that are ultimately resolved through court consignment procedures. This situation highlights the urgent need to re-examine the effectiveness of the legal framework governing village asset management in the context of national strategic projects.

However, the construction of the toll road has raised problems, especially related to land acquisition. Many residents lost their land rights involuntarily, which resulted in the loss of their right to enjoy their homes and neighborhoods. In addition, planning involving residential land often raises new issues, such as environmental impacts and significant social changes.³

In addition to individual land, the toll road project also involves village treasury land, which is part of village assets. According to Article 1, point 7 of Permendagri Number 3 Year 2024, village assets include village-owned goods obtained from the village's original wealth, purchases using the village budget, or other legal rights. Village treasury land, as village assets, is used for the purposes of governance, development, and community services.⁴

Village treasury land also serves as a source of village revenue and plays an important role in supporting community social activities. Based on Article 3 of Semarang Regent Regulation No. 2/2017, village treasury land includes village bondo land, bengkok land, and other types of village land managed by the village government in accordance with its designation.⁵

This research analyzes the management of village assets affected by toll road construction in Central Java, with a focus on implementation based on Permendagri Number 3 of 2024 concerning Amendments to Permendagri Number 1 of 2016. This research aims to provide a deeper understanding of the mechanisms and constraints in the management of village assets in the national strategic development project.

Several previous studies have examined aspects of land acquisition for toll road development. Research Rory (2018) analyzed compensation mechanisms in the Manado–Bitung Toll Road project; research Nia (2017)⁶ emphasized legal protection for landowners in Malang; while research Lova (2016) studied the principle of justice in compensation provided by state-

³ Agus Surono, Jl Sisingamangaraja, And Kebayoran Baru, "Protection Of The Rights Of Victims Of Land Acquisition For Toll Road Construction In Kendal Regency," *Journal Of Legal Research P-Issn 1410* (2017): 5632.

⁴ Ekasari Damayanti, "Implementation Of Land Swap (Ruislag) Of Waqf Land In Semarang City For The Construction Of Trans Java Toll Road," *Journal Of Politic And Government Studies* 8, No. 04 (2019): 351-60.

⁵ Lumaya Santi Marudin, "Impact Of Solo-Kertosono Toll Road Construction On Farmers' Life (Study In Kemiri Village, Kebakkramat District, Karanganyar Regency, Central Java Province)" (National Land College, 2021).

⁶ Maria Regina Anindya Aristika Nia, "Implementation Of Land Acquisition For Toll Road Development In Realizing Legal Protection Based On Law Number 2 Of 2012 In Malang City" (Uajy, 2017).

owned enterprises.⁷ Although these studies contribute significantly to the discourse, they primarily focus on the implementation of Law Number 2 of 2012 concerning Land Acquisition for Public Interest, emphasizing individual land rights, and pay little attention to the management of village assets impacted by toll road construction.

Accordingly, this research seeks to fill that gap by focusing specifically on village assets—particularly treasury land—as objects with distinct social, economic, and legal values, rather than merely private property. The study also applies legal theories such as the principle of legal certainty, the theory of public utility, and the theory of land rights as analytical frameworks. This approach provides a stronger conceptual foundation for evaluating the extent to which the regulation ensures legal protection and supports sustainable development.

Therefore, the objectives of this research are to analyze the management of village assets affected by toll road construction in Central Java Province based on Permendagri Number 3 of 2024 and to identify the obstacles encountered in its implementation. In addition, this study highlights the importance of strengthening inter-institutional coordination and formulating clearer technical policies as strategic measures to guarantee legal certainty and safeguard village rights within the framework of national infrastructure development. This research will discuss the management of affected village assets in accordance with applicable regulations, namely Permendagri No. 3 Year 2024, to provide solutions to the obstacles that arise.

2. METHOD

This research uses a normative juridical method, which involves a study of legal principles and synchronization of legal provisions in practice. With a conceptual approach to explore relevant legal doctrines and concepts in solving legal issues. The research specification is descriptive analytical, describing the object based on the data collected and analyzed to draw general conclusions. This research uses secondary data, which includes primary legal materials (laws and regulations such as Permendagri Number 3 of 2024), secondary legal materials (reference books, research results), and tertiary legal materials (dictionaries, encyclopedias). Data was collected through a literature study by reading, recording, and quoting relevant literature. Data analysis was conducted qualitatively by comparing facts, research data, and relevant regulations.⁸ The results of the analysis are organized systematically and interpretatively using legal theory and an inductive approach to draw conclusions that answer problems related to the Legal Review of Village Asset Management Based on Permendagri Number 3 of 2024 concerning Amendments to Permendagri Number 1 of 2016 in the Context of Toll Road Construction in Central Java Province.

3. RESULTS AND DISCUSSION

The management of village assets in the context of toll road construction in Central Java is regulated by the Minister of Home Affairs Regulation (Permendagri) Number 3 of 2024. This

⁷ Evi Fajriantina Lova, “Land Acquisition In Toll Road Infrastructure Development By State-Owned Enterprises (Persero)” (Brawijaya University, 2016).

⁸ Burhan Ashshofa, “Legal Research Methods,” 2013.

regulation emphasizes that village assets, including *tanah kas desa* (village treasury land), must be managed based on the principles of effectiveness, efficiency, transparency, accountability, and legal certainty. The findings of this study reveal that the management process involves several stages, including inventory, planning, procurement, transfer, disposal, and safeguarding of assets. These stages engage multiple stakeholders such as village governments, local governments, the National Land Agency (BPN), and toll road developers.

However, implementation in practice faces several obstacles: (1) difficulties in acquiring substitute land due to high prices and limited availability; (2) discrepancies in the valuation of asset values; and (3) the absence of clear technical procedures for the exchange (*ruislag*) of treasury land. These problems often result in disputes that must be resolved through court consignment mechanisms.

In practice, the management of village assets affected by toll road construction continues to encounter significant obstacles. First, the difficulty in acquiring substitute land arises due to limited availability and high market prices, leaving villages vulnerable to losing strategic assets without equivalent replacement. This situation threatens the continuity of the social function of *tanah kas desa* in supporting public services. Second, discrepancies in the assessment of economic value often result in unfair compensation, as villages and developers rely on different standards in determining a fair price. Third, the absence of clear technical procedures governing the *ruislag* (exchange) of treasury land creates legal uncertainty, further increasing the likelihood of disputes. These obstacles frequently lead to cases being resolved through court consignment, which provides only a formal settlement rather than addressing the substantive issues. To overcome these challenges, comprehensive solutions are required, including the establishment of standardized operating procedures (SOPs) for treasury land exchanges, the involvement of independent appraisers to ensure transparency and fairness in compensation, and affirmative government policies to guarantee the availability of substitute land at reasonable prices. Such measures would minimize obstacles in asset management and prevent disputes by promoting participatory deliberations that are fair, transparent, and grounded in legal certainty.

One of the important stages is first, planning, which includes the identification and mapping of affected assets by considering accurate data on the type, condition, and value of assets. This stage is conducted through field surveys and document verification by a cross-agency team, including PT Jasa Marga, which is responsible for implementing the toll road project. Once the data is collected, the village can adjust the Village Development Work Plan (RKPDesa) to allocate budget to priorities such as replacement, repair, or reutilization of affected assets.⁹ In addition, villages also need to capitalize on the long-term potential of toll road development, such as supporting MSMEs or new social facilities. With proper management,

⁹ Sela Marselina, Akhmad Hasanuddin, And Paksitya Purnama Putra, "Risk Analysis Of The Solo-Yogyakarta Toll Road Construction Project Section 1 Using The Severity Index Method," Journal Of Civil Engineering And Construction Technology 8, No. 2 (2022): 78-88.

village assets are not only maintained but can also be optimized to support community welfare in a sustainable manner.

Second, Procurement is the process of fulfilling the needs of village goods or assets based on the principles of efficiency, effectiveness, transparency, competition, fairness, and accountability to support the implementation of village governance.¹⁰ In the context of toll road construction in Central Java, village treasury land procurement begins with a request for location determination by the agency requiring the land to the Governor, who makes the determination within 14 working days. The National Land Agency (BPN) coordinates with the village government and relevant parties to confirm the physical and juridical data of the land, including location, boundaries, area, rights, and rights holders. This process is monitored until the payment of compensation to residents, with socialization to avoid conflict and ensure transparency. After the procurement is complete, the acquired village assets must be inventoried, managed, and optimally utilized to support government and community activities, with a periodic evaluation mechanism to ensure the sustainability of development in the village.

Third, the use of village assets in accordance with Article 10 and Article 11 of Permendagri Number 3 Year 2024 is carried out to support the implementation of village administration or other utilization as long as the assets are still useful.¹¹ In the context of toll road construction in Central Java, affected village assets are transferred for public purposes, such as infrastructure that improves community connectivity, with a process that includes transferring, replacing, or compensating asset owners. This process is overseen by the National Land Agency through physical and juridical data mapping, involving coordination of relevant agencies, and prioritizing the principles of efficiency, transparency, and fairness. The village government is obliged to determine the status of asset use every year, involve the community in decision-making, and ensure that the transfer of assets does not reduce the village's ability to provide services to its citizens, thus providing maximum benefits for sustainable development and community welfare.

Fourth, the safeguarding of village assets as stipulated in Article 19 of Permendagri Number 3 Year 2024 is carried out by the Village Head and Village Apparatus to protect assets from damage, loss, or misuse. This security includes administration in the form of bookkeeping, inventory, reporting, and storage of ownership documents; physical security through fencing, installing boundary signs, storage, and maintenance of assets; and legal security by completing proof of ownership status.¹² In the context of toll road construction in Central Java, security measures are tailored to the characteristics of the affected assets, such as the installation of fences or warning signs to prevent unauthorized access, accurate administrative records, and

¹⁰ Gabrielle Priscilla Wijaya And Gunardi Lie, "Problems Of Migrant Workers In Border Regions: A Case Study Of Women Workers In Sambas District, West Kalimantan," *Multilingual Journal*

¹¹ Indra Wijaya and Muhammad Halley Yudhistira, "The Impact of Trans Java Toll Road Development on the Regency / City Regional Economy," *Journal of Economic Policy* 15, no. 2 (2020): 8.

¹² Anselmus Ekacatra Widyastama, "Implementation Of Ganti Damages To Land Owners In The Acquisition Of Land For The Construction Of The Solo-Yogyakarta Toll Road Section I In Pepe Village, Kecamatan Ngawen District Klaten, Central Java" (Atma Jaya University Yogyakarta, 2023).

cooperation with relevant agencies. This security is carried out systematically to ensure that village assets are maintained, provide maximum benefits to the community, and support the transparency and accountability of the village government in its management.

Fifth, the deletion of village assets, as stipulated in Permendagri No. 3 of 2024, is the process of removing assets from the village inventory list in a transparent and accountable manner, especially for assets that change ownership, are destroyed, or lost for certain reasons. The deletion procedure includes the preparation of minutes, the stipulation of the Village Head's decision after the approval of the Regent/Mayor, as well as coordination with relevant parties to ensure the appropriate compensation value in cases of ownership transfer, such as due to court decisions or infrastructure development.¹³ In the context of toll road development in Central Java Province, the village government conducts surveys, mapping of affected assets, assessment of asset values, and preparation of minutes of deletion before the ownership transfer process is carried out. In addition, the destruction of assets that no longer have economic value or benefit is carried out with official documentation as the basis for the Village Head's decision. This approach involves coordination with local governments, toll road developers, and communities to ensure accountability, fairness, and sustainable benefits for development and communities.

Sixth, the alienation of village assets, especially village treasury land, is regulated in Permendagri Number 3 Year 2024 and can only be done through exchange or capital participation of the village government, while still prioritizing legality and public interest. In the construction of toll roads in Central Java, compensation for affected village assets is carried out fairly based on the results of an independent assessment. If replacement land is not yet available, compensation can be in the form of money that must be used to purchase replacement land of equivalent value. This process involves coordination between the village government, the National Land Agency, the developer, and the community to ensure transparency, accountability, and sustainable benefits for the village and local community.¹⁴

Seventh, periodic reporting on the status and condition of village assets, especially those affected by toll road construction, is required by Permendagri No. 3 of 2024 to cover the use, maintenance, deletion, and alienation of assets. Villages must conduct a detailed inventory of affected assets, including land value and condition, to determine fair compensation. The report is prepared based on official procedures, includes the value of the assets as well as the compensation requested, and requires approval from authorities such as the Governor.¹⁵ This mechanism demonstrates the importance of clear regulations regarding advance payments to

¹³ Rachmat Mudiyo and Gata Dian Asfari, "Study of the Effect of Semarang-Demak Toll Road Development on Kaligawe Highway Performance," *Journal of Planology* 18, no. 1 (2021): 132-42.

¹⁴ ReInhat Julian Afero Sinaga, "Status Of Land Rights That Are Subject To Robfloods On The Construction Of The Semarang-Demak Tol Road Installed With The Sea Island Fence In Demak District, Central Java Province" (National Land College, 2021).

¹⁵ Reza Afrizone Fauzih, Najib Najib, and Narulita Santi, "Analysis of Bored Pile Support Capacity in the Construction of Kali Kenteng and Kali Serang Bridge Foundations in the Susukan Segment of the Salatiga-Kartasura Toll Road, PT Waskita Karya (Persero), Semarang Regency, Central Java Province," *Journal of Geosciences and Technology* 2, no. 2 (2019): 87-97.

avoid conflict. Transparent and accountable reporting ensures the protection of village rights, smooth processes, and adherence to good governance.

Eighth, the valuation of village assets affected by toll road construction is an important step to accurately determine the value of assets and ensure fairness in compensation.¹⁶ This valuation aims to support financial reporting, asset write-off, and alienation, and is conducted in accordance with Permendagri No. 3 Year 2024, which emphasizes guidance and supervision by local governments down to the sub-district level. PT Jasa Marga states that the value of assets is determined based on the Tax Object Sale Value (NJOP) by considering variables such as location, status, designation, and conformity with spatial plans. The process prioritizes unanimous agreement between the village government and the asset owner on the value and form of compensation. Land acquisition officers use criteria such as inventory, loss assessment, deliberation, and land release to value village assets. Careful valuation and transparent distribution of compensation not only protect the rights of the village and asset owners but also support the smooth management of village wealth and prevent future conflicts.

Ninth, Guidance on village asset management in toll road development aims to increase the capacity of village officials and communities through training, technical guidance, and socialization of regulations. The National Land Agency mediated the exchange of village treasury land, PT Jasa Marga held deliberations to determine compensation, and land acquisition officers emphasized the importance of unanimous agreement on compensation. Sub-district and village heads highlighted the role of communities in decision-making to prevent conflict. Communication, coordination, and active participation are key to the success of this guidance, ensuring that village asset management is efficient, supports infrastructure projects, and provides long-term benefits to the community.

Tenth, Supervision of the management of village assets affected by toll road construction in Central Java Province is carried out in accordance with the Minister of Home Affairs Regulation Number 3 Year 2024, where supervision is delegated to the sub-district head who oversees the village. This supervision involves internal parties such as the village government and external parties such as the National Land Agency (BPN) and PT Jasa Marga, with the aim of ensuring that asset management is legal, transparent, fair, and beneficial to the community. BPN actively mediates the exchange of village treasury land, PT Jasa Marga conducts deliberations to reach an agreement on compensation and project deadlines, while the Heads of Sub-district and Village emphasize the importance of community participation in decision-making. Through supervision that involves various parties, it is expected that village asset management can run well and provide maximum benefits for all parties.

Eleventh, controlling the management of village assets affected by toll road construction in Central Java Province aims to ensure that village assets are used in accordance with

¹⁶ Sri Mulyani, Retno Mawarini Sukmariningsih, and Aniek Lestari Tyaswati Wiji Lestari, "Construction of Concession Rights and E-Toll Arrangements in the Perspective of Fiduciary Guarantees for Toll Road Development," *Journal of USM Law Review* 5, no. 1 (2022): 412-27.

predetermined objectives. In accordance with Permendagri Number 3 Year 2024, control includes monitoring, evaluation, and corrective action. While the regulation does not detail control techniques, PT Jasa Marga emphasized the importance of transparency and accountability in the use of funds, while the Sub-district Head highlighted the need for regular monitoring and evaluation to identify irregularities. Continuous and consistent control is essential to maintain the integrity of the village asset management policy, as well as ensuring that the management process is effective and provides maximum benefits to local communities affected by toll road development.

A normative examination of key provisions in Permendagri 3/2024 is crucial to assess its effectiveness: a) Articles 10 and 11 stipulate that the use and utilization of village assets must support governance and public services. In the context of toll road construction, these provisions become problematic when village assets are transferred, as this may reduce the village's capacity to provide essential services. Thus, ensuring adequate and equivalent land compensation is critical to upholding the spirit of these provisions; b) Article 19 regulates the safeguarding of village assets. In practice, however, administrative safeguards (recording, bookkeeping, and inventory) are often prioritized over legal safeguards. This creates potential conflicts, especially when ownership status or compensation remains unclear.

These findings suggest that although Permendagri 3/2024 provides a legal framework, its implementation remains vulnerable to normative conflicts, particularly when juxtaposed with Law Number 2 of 2012 on Land Acquisition for Public Interest. While Law 2/2012 emphasizes the primacy of public interest and individual rights, Permendagri 3/2024 highlights the collective rights of villages over their assets. This regulatory disharmony requires harmonization to achieve legal certainty.

The management of village assets affected by toll road construction in Central Java Province faces a number of complex obstacles. One of the main problems is the difficulty in finding replacement land, which is caused by the lack of community interest in selling their land, high land prices, and unclear procedures for replacing village treasury land. In addition, the absence of a clear Standard Operating Procedure (SOP) regarding applications for village treasury land swaps is also a challenge. Efforts made to overcome this include announcements to the village community, active communication between village officials and related parties, and improving the quality of human resources involved in management.

Another obstacle faced is the difficulty in determining the amount of compensation, which is often influenced by individual interests or the economic value of the land. The solution proposed by the relevant parties was to hold village meetings to reach a fairer agreement. However, despite the deliberation efforts, there are still residents who do not fully agree with the price offered, so the consignment process at the Court becomes the last resort to resolve the dispute. More transparent management that involves all parties is key to ensuring a sustainable agreement.

The findings reveal a gap between normative provisions and practical implementation. On the one hand, Permendagri 3/2024 stresses transparency and legal certainty; on the other hand, actual practices expose technical ambiguities and administrative hurdles that undermine village rights. Compared to previous studies that primarily addressed individual rights under Law 2/2012, this research offers novelty by focusing on village assets as collective legal entities requiring protection.

Thus, the management of village assets in toll road projects should not be treated merely as an administrative matter, but as a legal issue directly tied to the principles of legal certainty and social justice. A collaborative approach involving central and local governments, village authorities, BPN, and communities is essential to ensure that asset management is conducted in a fair, transparent, and sustainable manner.

4. CONCLUSION

The findings indicate that village asset management has been carried out through stages of inventory, planning, procurement, disposal, transfer, and safeguarding, involving village governments, local authorities, the National Land Agency (BPN), and toll road developers. The novelty of this research lies in its focus on village assets—particularly tanah kas desa (village treasury land)—which have been largely overlooked in previous studies on land acquisition that predominantly emphasized individual rights. This study further reveals a normative disharmony between Permendagri Number 3 of 2024 and Law Number 2 of 2012, resulting in legal uncertainty, especially concerning compensation mechanisms and the technical procedures for treasury land exchanges (ruislag). It can therefore be concluded that, despite the existence of a normative framework, the practical management of village assets continues to face obstacles, including difficulties in securing substitute land, discrepancies in asset valuation, and the absence of standardized technical procedures. In light of these findings, the study recommends the formulation of clear standard operating procedures for treasury land exchanges, the strengthening of independent appraisers' roles in determining compensation, and government intervention to ensure the availability of substitute land at reasonable prices. These measures are essential to guarantee legal certainty, fairness, and the sustainability of village asset management in the context of toll road development as a national strategic project.

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