



ROLE OF LEGAL & LAND MAFIA IN THE SEIZURE OF SHM 5/LEMO LAND (8.7 HA) BELONGING TO THE CHARLIE CHANDRA FAMILY, NOW PART OF PIK 2

This summary reflects the alarming condition of law enforcement in Indonesia, where the law seems to protect land grabbers rather than their victims.

The lack of legal certainty is clearly demonstrated in our case of land grabbing, allegedly perpetrated by PIK 2 – PT Mandiri Bangun Makmur (Agung Sedayu Group).



Basis of Ownership Charlie Chandra

1. In 1988, Sumita Chandra purchased Land Title (SHM) No. 5/Lemo covering 8.71 hectares from Chairil under Sale and Purchase Deed of Land No. 38/5/VIII/Teluk Naga/1988
2. In 1982, Chairil purchased Land Title Certificate No. 5/ Lemo from The Pit Nio under Sale and Purchase Deed No. 202/12/1/1982
3. The Land and Building Tax on the property was paid by Sumita from 1988 - 2023

Court Decisions Affirming the Ownership of Sumita Chandra:

4. 51/G/PTUN-BDG/1994 jo 128/ B/1995/PT jo 276 K/TUN/1996
5. 726/Pdt/1998/PT.Bdg jo 3306 K/Pdt/2000 jo 250 PK/ Pdt/2004

Physical Possession of the Land:

- 1988–2013 – Utilized as fish ponds by Charlie’s family
- 2013 – Seized by thugs
- 2014–present – Taken by PT Mandiri Bangun Makmur (Agung Sedayu Group)



Is the Garuda emblem on our Land Title Certificates no longer respected and valued by the Government?



How can holders of Freehold Land Certificates be criminalized and have their land taken away, legalized through the courts? Where is this nation heading?



Grounds for PT MBM’s Claim (Agung Sedayu Group)

- A) Location Permit for Land Development
- B) Power of Attorney No. 11/2015 from the alleged heirs of The Pit Nio to Nono Sampono (Director of PT MBM)
- C) Criminal Court Decision No. 596/Pid.S/1993/PN.TNG about the forgery of thumbprints in Sale and Purchase Deed No. 202/1982
- D) Right to Build Certificate (SHGB) No. 5/Lemo covering 8.71 hectares, newly issued in June 2023

Method of Land Grabbing



Stage 1: Physical Control

1. On the basis of point (C), PT MBM argued that the Sale and Purchase Deeds belonging to Sumita Chandra were invalid. However, Criminal Case No. 596/Pid.S/1993/PN.TNG had already been set aside by Civil Court Decision No. 726/Pdt/1998/PT.Bdg, which affirmed that both Sale and Purchase Deeds remained valid and legally binding
2. The tenants of Sumita Chandra’s fish ponds were forcibly evicted by thugs, after which the land was occupied by PT MBM
3. On 21 February 2023, a “Statement of Physical Possession” over the land was signed by Nono Sampono



Stage 2: Legal Control

1. 3 March 2023 – On the basis of point (C) and a guarantee letter from Nono Sampono assuring that BPN officials would not be subject to criminal or civil liability, the National Land Agency (BPN) issued a decree canceling the “recording of the transfer of rights of SHM No. 5/Lemo under the name of Sumita Chandra.” This action restored the ownership status of SHM No. 5/Lemo to The Pit Nio
2. July 2023: The Freehold Land Title was downgraded to Right to Build Certificate, after which PT MBM purchased the land from the alleged heirs of The Pit Nio



Stage 3: Criminalization of Sumita Chandra’s Heir

1. 9 February 2023 – A notary engaged by Charlie Chandra submitted Form 13 to the National Land Agency (BPN) for the process of inheritance transfer of SHM No. 5/Lemo
2. Charlie was accused of violating Article 261 paragraph (1) with the allegation of falsifying “Form 13”, solely because the form contained a clause stating that the land was not in dispute and the land is under Charlie’s physical control. While being detained at The Banten Police Station, he was forced to sign a peace agreement with no payment
3. During trial, it was established that physical possession is inherent to the holder of an SHM (Freehold Title Certificate). Charlie’s family not only paid Land and Building Tax (PBB) up to 2023 but also continuously utilized the land as fish ponds until 2013, before being forcibly evicted by thugs
4. The trial further revealed that PT MBM had no legal basis for physical possession of the land, and expert testimony characterized their occupation as illegal occupation
5. H. Muhammad Alfi Sahrin Usup, S.H., M.H., as both Presiding Judge and Chief Judge of the Tangerang District Court, sentenced Charlie Chandra to four years in prison. Ironically, this criminalization began only because he refused to sell the land to the Agung Sedayu Group.



All evidence and court rulings can be downloaded from the website: www.charliechandra.com