

# Local Government Control And Supervision

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## ABSTRACT

Government policies to support the implementation of government administration, development and public services, have been established, in the era of regional autonomy, the granting of authority given to local governments, of course, provides logical consequences on the aspect of accountable accountability, but what happens is that there are still elements local government ranks who make deviations that have an impact on legal problems, for that the author is interested in writing in a scientific journal entitled Regional Government Control and Supervision Policy, this paper uses a descriptive qualitative method with data obtained from secondary data, namely data from a literature review. Documents and regulations related to the control and supervision policies of local government with descriptive analysis. The results and conclusions are that the government in the aspect of supervision has issued several policy regulations related to aspects of supervision carried out by the functional supervisory apparatus both internally and externally, but until now there are still implementing elements in the ranks of local government who are negligent and make deviations in the implementation. Implementation of regional government operations, both from the aspect of governance, development and services to the community. And there are indications of legal problems, even some local government officials who were caught red-handed by the KPK due to the sale and purchase of positions, bribery cases, irregularities in the procurement of goods and services.

**Keywords:** policy; control and supervision

## INTRODUCTION

Regional development carried out by the region is inseparable from the interests of the government, to accelerate the welfare of regional communities, with prosperous regional communities, it can be ascertained that development inequality between regions is decreasing. Because of the impact of regional autonomy, the emergence of inequality between regions, because not all regions have abundant natural resources and regional potential, for that the government needs to balance regional fiscal conditions between regions, so that inequality can be reduced and poverty levels in the area can be overcome and reduced in terms of quality and quality.

Government implementation can be implemented cleanly and responsibly in accordance with the objectives of the implementation of good government, which has been buzzed by the ranks of the government. all this time. In its implementation, there must be supervision and control from the ranks of the internal and external supervision apparatus of the local government. Supervising the Government is inseparable from the role of the government in the mechanism of supervision carried out against autonomous regions. The essence of the supervision carried out by the government, aims to provide autonomy to the region can be done properly and can be accounted for, both in a good way. Physical or non-physical. Because the

granting of authority given by the government to the local government, is an absolute thing, and must be done in accordance with the rights and obligations of each organizer. Government both in the center and in the area. Under Law 23 of 2014, on Local Government, in Article 380, it explains that supervision of autonomous regions can be carried out by the central government, as well as external institutions of local government, coaching and supervision for district and municipal governments assisted by provincial regional inspectors, County/City inspector.

As a control tool in its implementation has been issued Presidential Instruction No. 15 of 1983, which explains:

1. Financial and Development Supervisory Board (FDSB) one of the internal government supervision institutions;
2. Inspectorate General of Ministries and State Institutions;
3. Provincial and District/City Inspectorate of Local Government internal supervision apparatus

Implementation of the implementation of supervision of autonomous regions, carried out by the functional enforcement apparatus of the local government, or so-called internal supervision, includes supervision carried out by the local government. functional of FDSB, Inspectorate General of Ministries and State Institutions, Inspectorate of Provincial and District and Municipal Areas, and elements of the Prosecutor's Office and Police. A series of supervision is carried out by the external ranks of local governments, carried out by the ranks of External Institutions, such as The Audit Board, Corruption Eradication Commission (CPC) and The House of Representatives (HOR), as well as the community. While the supervision carried out by the CPC, where the CPC is a supervisory apparatus that stands independently, and cannot be influenced by anyone, the existence of CPC based on the Law, CPC institutionally aligned

with the government. As for the CPC to conduct supervision if there are complaints and reports submitted by the community, or the findings of the CPC and HOR, the CPC can conduct research, investigation, and prosecution, if the one who committed the deviation can already be recorded to commit irregularities and indicated the existence of state losses, with 2 (two) supporting evidence Complete and factual. And the CPC can determine someone who has indicated irregularities, be designated as a suspect and defendant, and conduct prosecution in court. HOR conducts supervision because the HOR has a legislative function and budgeting function. Because the allocation of the budget is set by the HOR, so they are entitled and call the ranks of regional devices to be asked for information and opinions on what is being and it has been done, using the regional budget. The public can conduct indirect surveillance, where they can report to law enforcement officials if they see any indication of irregularities committed by local government ranks. Equipped with 2 (two) complete evidence and can be accounted for the truth.

## LITERATURE REVIEW

Control, the definition of control is the process of activities carried out to every activity carried out, so that the implementation of activities can run in accordance with operational standards of procedures that have been implemented. Established, and the implementation of activities can achieve goals and benefits for the benefit of society in general. In addition, control needs to be done so that in the implementation, avoid irregularities committed by irresponsible individuals, and will thwart the achievement of goals. Which has been established by the organization.

### Internal control

Internal control is inseparable from the control when the preparation and implementation of the

budget. To be analyzed whether the budget used is in accordance with the needs and implemented effectively and efficiently. So that it can be controlled in stages, so that the expected results can be achieved.

Internal control there is a very strategic process of activity and as a means of control in any organization, both local government organizations and private organizations. With internal control will be easily found, if there are deviations that will occur in the implementation of activities.

Internal control will not hinder or hinder the implementation of activities, or conflict with the philosophy in management. Internal control is the responsibility of the leadership in local government organizations, so that to build and maintain effective internal control, the leadership of local government organizations must have a commitment to managing the entity he leads effectively and efficiently. So that it can appoint integrity and professionalism carried out with the support of an apparatus that has the competence and qualified capabilities.

Evaluation of internal control continuously needs to be done, so that local governments in organizing government operations, implementation of development and public services, can be done by avoiding various irregularities and will be able to produce performance achievements that have been established and can provide benefits for local governments and local communities in general (Source: <http://respository.unicom.ac.id>).

The purpose of control is:

1. So that the implementation process is carried out in accordance with the provisions of the plan.
2. Take remedial action, if there are deviations (Deviations).
3. So, that the resulting objectives are in accordance with the previous plan.

Control is closely related to the planning function and these two functions are mutually

filling. The function of supervision, controlling means monitoring the progress of the company by being guided by the goals to be reached and improving it if there are irregularities. (Source: <http://respository.unicom.ac.id>).

### Supervision

Supervision is a form of activity carried out, by means of direct supervision or indirect supervision, supervision is generally carried out by the leadership ranks with the term the existence of internal or internal supervision and supervision carried out by the ranks of functional supervision apparatus conducted by the Inspectorate General of Ministries and Institutions, as well as provincial Regional Inspectors, County and City.

### Types and types of surveillance

Preventive supervision is supervision that is done by not directly visiting the surveillance breach, but done indirectly, done to prevent and minimize and avoid the existence of abuse of authority contrary to applicable regulatory regulations. The local government in doing so does not carry out policies that affect the local community in general. In essence, preventive supervision is carried out to prevent policy actors from carrying out policy implementations that negatively affect the local community in general.

#### Repressive surveillance

Supervision is carried out, to prevent the creation of policies contrary to higher laws and regulations, and have an impact on the public interest. Repressive supervision can be carried out by related units or supervisory agencies both internal government and external local government.

<sup>4</sup> Under Law 31 of 2004, Article 217 and Government Regulation number 79 of 2009, on <sup>4</sup> guidelines for Coaching and Monitoring. Government Regulation number 79 of 2009, confirmed, the Governor as a representative of the central government conducted coaching to

regencies / cities, civil servants of the regional government, and villages and BPD. This is done so that the implementation of regional autonomy can run effectively and efficiently, and can be accounted for by referring to applicable laws and regulations.

**What the central government does on the aspect of supervision includes:**

1. The duties of assistance and mandatory affairs that are the responsibility of the local government;
2. The affairs of the village government.

**Identify problems**

With the granting of authority, based on regional autonomy, where the region has duties and responsibilities that are not light in the implementation of government, and the implementation of development and services to the community, for that there needs to be control and supervision carried out by the government, which in this case the control and supervision carried out by the ranks of the supervision apparatus Functional government, in the implementation of government implementation of course many problems that must be solved, so researchers try to identify various problems that are the main problem. Among them:

1. There are still regional heads or local government ranks, which are indicated to commit irregularities;
2. The number of regional head officials and their ranks who were caught by the CPC, because it indicated irregularities, (receiving bribes) in the implementation of their duties carried out;
3. The existence of regional heads who sell their authority and power in determining and assigning positions to their ranks by accepting bribes;
4. There are still many people classified as underprivileged in the area, especially

villages, even though the government has made various policies to make financial assistance to local and village governments;

Not optimal use of regional spending budget, every year, because the local government, often afraid in implementing it, so that many budgets are stored in regional banks as a form of safe investment;

Whereas we know together, that the perpetrators of the 3rd party policy in the area cannot do much without the support of the Regional Revenues and Expenditures Budget (RREB), every year, if the RREB is not used, then the regional economy will be sluggish, the community is difficult to earn income, all very dependent on APBD, which is moving to be used as a regional spending budget, for the interests of the people of the region.

To find out the control and supervision policies carried out by the Local Government and related ranks both internally and externally, the Government can reduce or minimize deviations carried out by the management of implementers and work units in the local government.

**METHOD**

This study uses qualitative methodology, with cryptic analysis, kualitatif research is a study in which the researcher is a key or main instrument, so that researchers have a role to play. Very strategic, qualitative research is carried out by means of spacious observation to see the phenomena that occur, and in observations in addition to looking for secondary data as well as primary data through interviews with respondents who were made informants in the study. While data collection techniques are done by triangulation, and data analysis is inductive, qualitative research results are more pressing on meaning than generalizations (source: Sugiyono "in his book "Understanding Qualitative Research, p. 1) Publisher of Alfabeta Bandung.

**RESULT AND DISCUSSION**

Local government supervision is carried out by internal supervision and external supervision of local governments.

### **Internal Supervision**

Internal supervision is supervision carried out by the internal government itself, supervision from within the local government in each work unit, is the inherent supervision carried out by the head of the work unit in the local government environment, while internal supervision from outside the work unit, is supervision carried out by functional supervision units, such as the Inspectorate General of Ministries and State Institutions, functional supervision of provincial inspectors and Districts and Cities, as well as Supervision from the Financial and Development Examination Agency (BPK), POLRI Law Enforcement Officers and the Prosecutor's Office.

### **External Supervision**

External supervision can be carried out by the functional supervision apparatus of the Financial Examination Agency (BPK), where the CPC is an independent Supervisory Agency Unit and cannot be interfered with from any party, the Corruption Eradication Commission (CPC/KPK), this institution acts and acts on complaints from the public and on the report of examination results by the CPC, the CPC is an element of enforcement outside local government agencies, who have the authority to conduct research, investigation and examination and determination of the status of individuals who are suspected of irregularities that result in state losses, and can assign suspects and defendants and make demands to individuals who commit irregularities with the support of 2 valid evidence tools. And the supervision carried out by the HOR element, because the HOR has 2 (two) functions, namely the function as a legislator with the Local Government and as a budgeting function, which is a function that can set budget

allocations to local government work units, according to the needs and analysis of studies conducted by commission members in the HOR, they have full authority to meet and cut the budget allocation of each local government work unit, so that these authorities that can be used as a basis as and have a role to conduct supervision to the parties of the work unit in the local government environment. Every member of the HOR has the right to call every work unit in the local government environment, to be heard opinions and what is done and ever done, and how it benefits the local community.

The implementation of supervision and control carried out by local governments for various activities carried out guided by:

1. The task is carried out in an objective and professional manner, and is not biased and be fair to all who do;
2. To achieve the expected success, supervision is carried out periodically;
3. Supervision must be effective, and be able to minimize errors or irregularities carried out by local governments.
4. Construction is done on various corrections, so that future errors do not occur again.
5. The task is carried out by the ranks of the local government.
6. The budget used is from APBD.

The construction and supervision of local governments is carried out by:

1. Internal functional supervision apparatus of local government:
  - a. Policy actors and implementers of duties in the district/city government.
  - b. The executors of affairs at the provincial level;
  - c. The executors of affairs at the District and City level.

While the duties and functions of the District and City Inspectorate conduct supervision against:

1. Implementing affairs at the level of District and sub-district;

2. Implementation of government implementation units in village

In conducting internal supervision, the ranks of functional apparatus based on the functions and tasks that are the authority include:

1. Evaluation of the tenure of the regional head.
2. Carry out inspection activities suddenly.
3. Follow up on community reports, for alleged irregularities.
4. Perform performance assessments of regional device work units.
5. Perform a performance and performance evaluation.

The report of the results of supervision is submitted to the Minister of Internal Affairs, for follow up.

### Supervision of the Perda

Its implementation is carried out preventively and can be repressive, no later than 60 working days, after the Regulation is accepted by the Government. The draft regulation was evaluated for 15 working days since the regulation was submitted to the Government. If there is an objection from the Governor then you can submit an objection to the Constitutional Court no later than 15 days from the time the annulment is received.

The Minister of Home Affairs conducts repressive supervision of regional policies based on the Decree of the Minister of Home Affairs No. 42 of 2001, namely:

1. HOR makes an order, by the decision of the HOR;
2. Finance members of the HOR, Kedudukan finance members of the HOR (through the decision set by the HOR).
3. Decision of the Provincial HOR Leadership,
4. Regional Management (through District/Sub-district).
5. 5 Party donations to III to the Local Government (through the District/ City Perdan).

6. Contribute a third party to the local government (through the decision of the Regent of Mayor).

7. Removal / change of regional assets (through the decree of the Regent / Mayor).

For the governor as a representative of the central government to conduct repressive supervision of regional policies that concern:

1. Regulation / Decision of dprd district / city on Tatib HOR,
2. Regulation / Decree of the HOR district / city on the financial position of dprd members,
3. Regulation Leader of HOR district/city.

Appreciation and sanctions can be given in the form of:

1. Reorganize the performance in accordance with its tupoksi;
2. Delaying the appointment of officials related to the implementation of the work unit unit
3. Administration of penalties.
4. Punishment in the form of money/financial.

The imposition of sanctions is imposed on <sup>2</sup>l levels of local government implementation in accordance with applicable laws and regulations:

### Supervision of the head of the region in the form of

- A). Conduct regular literacy supervision;
- b). Surveillance is carried out suddenly and suddenly without prior notice.

First.

- c). Follow up if there are indications of irregularities made by subordinates;
- d). providing an assessment of the performance of his subordinates, with this instrument can be seen performance what his subordinates do;

The Head of the Work Unit gets the authority of the Minister of Home Affairs to perform the task of aligning and facilitating the absence of overlap.

The Regional Head Governor with reference to the Decree of the Minister of Home Affairs

number 17 of 2001, supervised the performance of the work units in the Regional Government.

### **Supervision in the political field**

Carried out by conducting a working visit and evaluating the work of the Local Government, the establishment of a special panitai, in accordance with applicable regulations. Based on Law 32 of 2004, the HOR conducts supervision of the government's performance in its industry, the supervision of the legislature is carried out through:

- a). Conducting discussions and hearings with factions in the HOR;
- b). Wetting is carried out together with commissions;
- c). the establishment of a committee with an agenda of discussion hasik performance of the Regional Government.
- e). A working visit to the local government's work units;
- f). Can hold accountable for the implementation of activities carried out by related agencies in the ranks of local governments.
- g). Can delegate authority to institutions that have lawsuits to an investigation is carried out on the results of the performance of the local government ranks.
- h). Correction and providing constructive input to the executing officer of the activity.

The results of performance evaluation conducted by dprd; the community must be informed.

### **Result of supervision and reporting**

HOR conducts an evaluation of activities carried out by the local government, the supervision carried out is reported to the Minister of Home Affairs through the Governor of the Regional Head, while for follow-up supervision It is done to the Regency/City, the report is carried out by the Governor to the President and submitted to the Minister of Home Affairs.

Based on and referring to Law 23 of 2014, on Local Government, regional heads, follow up the results of supervision which includes:

- a. TPTGR;
- b. Civil lawsuits and lawsuits;
- c. Criminal complaints;
- d. Staffing improvements.

### **CONCLUSION**

Various policies carried out by the government, by issuing and establishing various regulations that support the implementation of control and supervision and the government has various supervisory institutions that have competencies that include: BPKP, Inspectorate General, Provincial and Municipal Inspectorates, as well as law enforcement institutions of the Prosecutor's Office and Police, and supervision is carried out with mechanisms and work systems that are integrated with each other, and the government has established various regulations and completeness in carrying out the implementation of government, implementation of development and services to the community, but until now, the results of the implementation of supervision and control, have not been felt, effective and maximal to be able to reduce, the number of irregularities carried out by the ranks of local government apparatus, as implementers in the development in question, the more ranks of local governments are affected by the problem. Law, either with the hand response by the KPK, due to bribery committed by local government individuals, the responsiveness of local government officials, who sell their authority and power to be able to place or appoint in office in exchange for some money from officials to be appointed and placed and appointed in a certain position. As well as some cases of deviations from the procurement of goods and services in local government environmental units that are indicated irregularities, so they have to deal with legal problems. If examined further, where the location of policy errors issued by the

government, the general public can certainly say the government is not wrong, the wrong is the person in the local government, who lacks control of the applicable regulations or they deliberately commit violations that result in them being entangled with various legal problems. If further review from the aspect of the mental revolution proclaimed by President Joko Widodo, recently, actually to carry out a transformation in the mental field for officials, to be able to do self-aware, that they are the State Civil Apparatus or better known as civil servants, who are obliged to protect, protect and serve the community, not betray them, Because the government apparatus receives salaries and benefits where the money is money generated by the government and local government from the payment of taxes from the community. So, it is appropriate if the state civil office and apparatus, do and act to be able to realize the welfare of the community, which is the ideal of the entire Indonesian nation.

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