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The Oversight Function of the DPRD of Kampar Regency and Pekanbaru City on the Implementation of Regional Regulations Based on Law Number 23 of 2014 concerning Regional Government.

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Article Info

Article History:

Received : 22-05-2023

Revised : 20-06-2023

Accepted : 29-06-2023

Published : 30-06-2023

Keywords:

Implementation of Oversight, Regional People's Representative Council, Regional Regulations, Laws, Regional Government.

Abstract

This study aims to identify and analyze the supervisory function of the Regency and City DPRD towards Regional Regulations based on Law Number 23 of 2014 concerning Regional Government. supervising the effectiveness of Regional Regulations. This study uses the sociological legal research method, namely looking at the correlation between law and its goals. The results showed that the implementation of the oversight function of the DPRD of Kampar Regency and Pekanbaru City still did not show optimal results. The oversight function of the implementation of Regional Regulations was still not an important concern for members of the Regency and City DPRD. The ideal form of implementation of supervision begins with good planning, the process of implementing supervision and ends with an evaluation of implementation. There is also a need for regulatory reform in the future.

INTRODUCTION

Indonesia is a state based on law or rechtsstaat. A nation must have guidelines or legal rules that must be obeyed by all citizens. The Indonesian state has always recognized the division of powers between the central government and local governments in the regional government system in Indonesia. This is explained in the 1945 Constitution Article 18 paragraph (1) that¹ "The Unitary State of the Republic of Indonesia is divided into provincial regions and the provincial regions are divided into regencies and cities, each of which has a regional administration, which is regulated by law" The provisions in Article 18 paragraph (1) resulting from the second amendment to the 1945 Constitution of the Republic of Indonesia

¹ Pasal 18 ayat 1 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

indicate that the Unitary State of the Republic of Indonesia is based on the decentralization of power, better known as decentralization, not centralization.

The implementation of regional government has undergone very fundamental changes since the enactment of Law Number 22 of 1999 which has now been replaced by Law Number 32 of 2004 and finally replaced by Law Number 23 of 2014 concerning Regional Government. The principle used in this Law is the principle of broadest autonomy in the sense that the regions are given the authority to manage and regulate all government affairs outside those that are the affairs of the central government.² In Article 1 paragraph (2) of Law Number 23 of 2014 concerning Regional Government it is stated that what is meant by regional government is the administration of government affairs by the regional government and the Regional People's Representative Council according to the principle of autonomy and co-administration with the principle of the widest possible autonomy in the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution. Furthermore, what is meant by regional government is the head of the region as an element of Regional Government administration who leads the implementation of government affairs which fall under the authority of the autonomous region.³

The system of regional administration in Indonesia according to the 1945 Constitution of the Republic of Indonesia is to clearly regulate the distribution of regions with an autonomous government structure established by law. This term which is autonomous in nature, gives flexibility to the regions to organize, regulate, manage their own government affairs according to the principles of deconcentrating, decentralization and co-administration. This is emphasized on accelerating the realization of community welfare through improving services, empowerment and participation by taking into account the principles of democracy, equity, justice, privileges and specialties as well as regional potential and diversity within the framework of the Unitary State of the Republic of Indonesia, Indonesia is a country that adheres to a democratic system.⁴

The formation of regional regulations is one of the goals of the state in empowering communities and realizing regional independence, and the formation of regional regulations

² Yusnaini Hasyimzoem, dkk, *Hukum Pemerintahan Daerah*, (Jakarta : Raja Grafindo Persada, 2019), 37.

³ Pasal 1 ayat 12 Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah

⁴ Nikmatul Huda, *Hukum Tata Negara*, cet. ke-6, (Jakarta: PT Raja Grafindo Persada, 2013), 83.

must be based on the principles of forming legislation in general, among others, taking sides with the interests of the people, upholding human rights, having an environmental and cultural perspective. Then according to Law Number 12 of 2011 concerning the Formation of Legislation, Regional Regulations are laws and regulations established by the Regional People's Representative Council with the approval of the Regional Head.⁵

According to Sadu Wasistono and Ondo Riyani, in a democratic country the existence of the People's Representative Council and the Regional People's Representative Council or legislative body is a must.⁶ Because the legislature is the representative of the people in making laws or regional regulations that will be applied to the people. The Regional People's Legislative Council is an element of Regional Government whose structure reflects the representation of all the people in the regions in the State of Indonesia. The Regional People's Representative Council together with the Regional Head carry out the duties and authorities of the Regional Government in the legislative field.

As an element of Regional Government, the Regional People's Legislative Council has a position at or equal to that of the Regional Head. Position and Duties and Functions of the Regional People's Legislative Assembly is a regional people's representative institution which is domiciled as an element of the Regional Government institution. As an element of the Regional Government institution, the Regional People's Legislative Council has a great and equal responsibility with the Regional Government in the framework of running the wheels in the life of Regional Government. The Regional People's Representative Council, namely the term being a partner and having or having a very equal position with the Regional Government.⁷

In forming regional regulations in regencies, regional regulations are set by the regional head together with the DPRD, after the regional regulations are formed, the next step is to question their implementation, whether the implementation has been effective or not. This is implemented by the government. The context of the duties and authorities of the Regional Head, directing and controlling the regional bureaucracy. There are several tasks that must be carried out, namely: implementing regional policies, enforcing regional regulations, providing

⁵ Rozali Abdullah, *Pelaksanaan Otonomi Luas dengan Pemilihan Kepala Daerah Secara Langsung* Cet. Ke-1. (Jakarta: PT. Rajagrafindo Persada, 2005), 131.

⁶ Sadu Wasistono dan Ondo Riyani, *Etika Hubungan Legislatif dalam Pelaksanaan Otonomi Daerah*, (Bandung: Fokus Media , 2003), 93.

⁷ Suwanda, Dadang & Chabib Sholeh, *Peran Pengawasan DPRD*, (Bandung: PT Remaja Rosdakarya, 2017), 1.

public services to local community members, and collecting and processing information to then submit it in the form of recommendations to the Regional Head. The regional head has the obligation to report the results of the implementation of regional government to the central government and provide an accountability report on the implementation of regional government to the public through the DPRD.⁸

Besides that, DPRD also supervises regional heads in implementing APBD and regional regulations. This authority is one of the 3 functions of the DPRD in the district, the function of the Regency DPRD is regulated in Law Number 23 of 2014 concerning Regional Government in article 149 paragraph (1) which states that there are 3 functions of the Regency DPRD namely:⁹

1. The function of forming district/city regional regulations is related to the formation of regional regulations
2. Budget Function, Authority in terms of regional budget
3. Oversight Function, Authority to control the implementation of local regulations and other regulations as well as local government policies.

The function of the DPRD is a manifestation of government administrators, although it is not the DPRD who fully organizes the government, it can be concluded from the function of the DPRD itself that the optimal administration of government is due to supervision. Regional Regulations are products of the DPRD together with the Regent. This is related to the function of forming Regional Regulations, namely the function of Forming Regency/City Regional Regulations, explained in Law no. 23 of 2014 concerning Regional Government that the function of forming Regency/City Local Regulations: a). discuss with the regent/mayor and approve or disapprove the draft Regency/City Local Regulations; b). submit proposals for draft Regency/Municipal Regulations; and c). compile a program for establishing district/city regional regulations together with regents/mayors.¹⁰

The People's Representative Council (DPRD) can be included in the administration of regional government. However, the authority of the People's Representative Council (DPRD)

⁸ Sunarno, H Siswanto, *Hukum Pemerintahan Daerah di Indonesia*, (Jakarta: Sinar Grafika, 2019).

⁹ Undang-undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah pasal 149 ayat (1)

¹⁰ Undang Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah Pasal 150 ayat (1)

is not like the Regional Head who has full authority in running the government, the DPRD's authority is limited to only carrying out its functions in accordance with the Law, "DPRD has legislative, budgetary and supervisory functions", but occasional changes can propose their own initiative to submit a draft Regional Regulation. Discussing the oversight function, of course there will be controversy in carrying out its functions because on the one hand the DPRD is part of the Regional Government but on the other hand the DPRD must oversee the implementation of regional government regulations, and defend the people, because the DPRD channel the aspirations of receiving complaints and facilitating settlement. However, it often happens that the function and authority of the DPRD cannot be realized which ultimately leads to a decrease in the image of the DPRD. The role of the DPRD as one of the administrators in the region cannot be separated from the role of the executive body in the regional government system, because these two institutions play a role in establishing political policies and policies in the regions.¹¹

The urgency regarding the implementation of supervision of Regional Regulations in the Regency/City, that the implementation of the Regional Regulations that have been formed is still not running effectively, supervision should assess the implementation and effectiveness of statutory regulations. This oversight monitors the executive officer implementing regulations in accordance with the intent of the legislature. In practice, the DPRD is mostly not implemented or does not receive attention and there is no sufficient allocation of resources from the DPRD, there is a lack of monitoring programs or activities carried out by the DPRD to assess the effectiveness of the implementation of regional regulations.¹² Below is the oversight function of the DPRD in several districts and cities in Indonesia,

No	DPRD District and City	Information
1.	DPRD City of Makassar	The implementation of the supervisory function of the Makassar City Regional

¹¹ H. Siswanto Sunarso, *Hubungan Kemitraan Badan Legislatif & Eksekutif Di Daerah*, (Bandung: Penerbit CV. Mandar Maju, 2005), 1.

¹² Maria S. Sumardjono, *Catatan Berkenaan dengan Masalah Pertanggungjawaban Kepala Daerah dan Pengawasan terhadap Peraturan Daerah*, Kertas Diskusi 22, 2000, 5.

		People's Legislative Council has not been optimal or inconsistent in supervising regional regulations and the Regional Revenue and Expenditure Budget.
2.	DPRD Regency of Serdang Bedagai	Not Optimal Oversight of the Serdang Bedagai Regency DPRD, some come from the internal council and from outside the council, education problems, where the education possessed by the DPRD can hinder supervision due to a lack of ability possessed, as well as education that has no relevance to the duties of the council. The lack of experience of the DPRD is an obstacle in carrying out supervision. Because very few members of the Serdang Bedagai Regency DPRD have experience, so it greatly influences supervision.
3.	DPRD Regency of Malang	In carrying out the supervision of the Malang Regency DPRD on Regional Regulations, the obstacle that prevented

		supervision was the lack of coordination between the DPRD and the agency so that commission meetings were often delayed, and representatives who were not the Head of Service were often summoned.
4.	DPRD Regency of Bone	Not yet realized properly. This can be seen from the existence of regional regulations that are implemented not in accordance with existing regulations, because many members do not understand the supervisory function of the implementation of Regional Regulations and the lack of coordination with related agencies.

The implementation of the supervisory function requires standardization, that DPRD has planned a work plan to facilitate its members in carrying out their duties and obligations, the purpose of the supervisory function itself is to supervise the effective implementation of tasks in accordance with applicable regulations. laws and regulations, as expected, namely that accurate data can be collected regarding the implementation of regional regulations, in the elucidation of Government Regulation Number 12 of 2018 Guidelines for the Preparation of Provincial, District and City Community Orders of the People's Representative Council whose supervisory function is carried out through evaluation of effectiveness of the implementation

of Regional Regulations, Regional Head Regulations, and the implementation of other laws and regulations.¹³

In 2023 the number of Regional Regulations (Perda) in Kampar Regency is 102 regional regulations which have been ratified and enforced, and Pekanbaru City Regional Regulations are 88 Regional Regulations. not only overseeing regional regulations but also overseeing other regulations and also overseeing APBD funds, in this study the focus is on regional regulation supervision and it will be seen to what extent the supervision is carried out by the DPRD of Kampar Regency and Pekanbaru City, whether they play an effective role in carrying out the control function over the implementation regional regulations or vice versa, that the authority of the Regional People's Legislative Council (DPRD) to control executive performance is carried out so that good local governance is realized as expected by the people.

In this study the authors chose Kampar Regency and Pekanbaru City as research locations, because these two locations support the conduct of research on the oversight function of Regional Regulations, Pekanbaru City is the Capital City of Riau Province whose people are very dynamic so that issues related to Regional Regulations and will very complex, this is also the author summarizes the problems of the people of Pekanbaru City such as social order which is clearly regulated in the Regional Regulation of Pekanbaru City, for Kampar Regency is a Regency that has Regional Regulations numbering more than 100 Regional Regulations, and also a Regency with a very large population secondly after Pekanbaru City, as well as one of the regencies with a very wide area and has 22 sub-districts, regarding the Regional Regulation one of the existing regulations in Kampar Regency will cause problems because the Local Regulations is a legal umbrella with many regulations, a large number of people and a wide area. Area so that is the reason the author chose Kampar Regency as the research location.

In Kampar Regency and Pekanbaru City, several problems related to the implementation of regional regulations arose, this was due to the ineffectiveness of the implementation carried out by the government, which caused problems, so that the oversight function of the Kampar Regency DPRD and the City of Pekanbaru on Regional Regulations was not effective. This is the result of a survey by the authors which is supported by several

¹³ Pasal 21 ayat 3 Peraturan Pemerintah Republik Indonesia Nomor 12 Tahun 2018 Tentang Pedoman Penyusunan Tata Tertib Dewan Perwakilan Rakyat Daerah Provinsi, Kabupaten, Dan Kota

studies discussing regional regulations in Kampar district and also comes from the media which is active in providing information about issues and problems that occur in Kampar district and Pekanbaru city.

So that from the description of the background above, the author is interested in conducting research on the oversight function carried out by the Kampar Regency DPRD and Pekanbaru City DPRD on the Implementation of regional regulations as outlined in the form of writing a research entitled “The Oversight Function of the DPRD of Kampar Regency and Pekanbaru City on the Implementation of Regional Regulations Based on Law Number 23 of 2014 concerning Regional Government”

OVERSIGHT FUNCTION OF THE DPRD REGENCY OF KAMPAR ON THE IMPLEMENTATION OF REGIONAL REGULATIONS

The results of the research site show that the implementation of the supervisory function of the DPRD Regency of Kampar Period 2019-2024 in the implementation of the supervisory function overseeing the operation of regional regulations in Kampar Regency refers to the provisions of the Standing Orders of the DPRD Regency of Kampar. After the authors carried out research in the DPRD Regency of Kampar, the authors obtained data and summarized the results of interviews with members of the DPRD Regency of Kampar that regarding the implementation of the DPRD's oversight function referred to the DPRD Standing Orders which had been agreed upon by the DPRD Regency of Kampar, that the implementation carried out by the DPRD Regency of Kampar on regional regulation supervision was as follows :

No	Supervision Implementation	Supervision Form	Information
1.	Commission Working Meeting with the government	Calling related agencies or those related to regional regulations	The Commission holds meetings with related offices or agencies, these meetings are held 8 to 12 times a year

No	Supervision Implementation	Supervision Form	Information
2.	Work Visit Activities	Commission Working Visits in accordance with their respective fields to offices and agencies that implement regional regulations, and also to outside the region for the purposes of comparative studies	The working visit was carried out by considering the urgency of the regional regulation
3.	Hearing Meeting	Carry out RDP with related parties, and ask for explanations from the violating party or those currently under supervision.	Meetings with Opinion are held by the DPRD when there are issues that appear to the public and RDP are often held with private parties as well as business entities related to regional regulations
4.	Community Complaints	With a public complaint, the DPRD summons and asks for an explanation from what is being complained about by the community	Public complaints are not limited, complaints are made by the public by writing or direct complaints.
5.	Recess	Visiting the electoral district of the member concerned and absorbing aspirations from the community. Recess activities are a form of DPRD supervision in supervising the implementation of regional regulations.	The recess period is held for a maximum of 6 (six) days in 1 (one) recess

Source : DPRD Regency of Kampar

From the data above the oversight function of its implementation is guided by the DPRD Standing Orders, with the efforts that have been carried out on regional regulations not yet fully supervised by the DPRD Regency of Kampar, very little evaluation of regional regulations has been carried out, as well as agencies, related agencies have not submitted evaluations of the implementation of regional regulations. Regarding the evaluation from the

DPRD in this period, it has only conducted an evaluation of Regional Regulations once, so that the supervisory function of regional regulations is still lacking attention from the DPRD, it is necessary to improve the rules governing the duties and functions of the DPRD which are related to supervision of regional regulations, in this case the DPRD Standing Orders need updating so that the form of DPRD oversight can carry out the oversight function.

OVERSIGHT FUNCTION OF THE DPRD PEKANBARU CITY ON THE IMPLEMENTATION OF REGIONAL REGULATIONS.

After the author conducted research at the DPRD Regency of Kampar, the next writer conducted research at the DPRD Pekanbaru City. the author obtains data and summarizes the results of interviews with members of the DPRD Pekanbaru City that regarding the implementation of the DPRD supervisory function refers to the DPRD Standing Orders which have been agreed upon by the DPRD, that the implementation carried out by the DPRD Pekanbaru City on regional regulation supervision is as follows:

No	Supervision Implementation	Supervision Form	Information
1.	Commission Working Meeting with the government	Calling related offices or those related to regional regulations	The Commission holds meetings with related offices or agencies, these meetings are held 1 time in 3 months
2.	Work Visit Activities	Commission Working Visits in accordance with their respective fields to offices and agencies implementing regional regulations, as well as conducting comparative studies with DPRD's outside the region	The working visit is carried out by considering the urgency of the regional regulation, in its implementation
3.	Hearing Meeting	Carry out RDP with related parties, and ask for explanations from the violating party or those currently under supervision.	RDP (Meeting with Opinion is carried out by the DPRD when there are issues that appear to the

No	Supervision Implementation	Supervision Form	Information
			public and RDP is often carried out with private parties as well as business entities related to regional regulations, if the summons is not heeded an inspection will be carried out by the DPRD to the location
4.	Community Complaints	With a public complaint, the DPRD summons and asks for an explanation from what is being complained about by the community	Public complaints are not limited, complaints are made by the public by writing or direct complaints.
5.	Recess	Visiting the electoral district of the member concerned and absorbing aspirations from the community. Recess activities are a form of DPRD supervision in supervising the implementation of regional regulations.	The recess period is held for a maximum of 6 (six) days in 1 (one) recess

Source : DPRD Pekanbaru City

From the implementation of the oversight function of the regional regulations carried out by the DPRD Pekanbaru City, it is almost the same as the DPRD Regency of Kampar, the implementation has referred to the statute, only the mechanism is different in the field, therefore the oversight function of the regional regulations carried out by the DPRD Pekanbaru City has so far been implemented but supervision of regional regulations is still not an important concern for DPRD members, the lack of evaluation carried out on the implementation of regional regulations so that new problems arise are carried out oversight efforts, so that supervision regulations on the implementation of regional regulations need to be improved, this aims to ensure orderly implementation of supervision by the DPRD.

IMPLICATIONS OF THE OVERSIGHT FUNCTION OF REGENCY AND CITY DPRD'S ON THE IMPLEMENTATION OF REGIONAL REGULATIONS

In the history of regulations regarding regional government, the strengthening of demands for reform resulted in major changes to the Law on Regional Government, starting with Law Number 22 of 1999 replaced by Law Number 32 of 2004 and finally replaced with Law Number 23 of 2014 concerning Regional Government. Each of which has a different position towards the Regency/Municipal DPRD where during the DPRD period its position was very strong because along with politics it became commander in chief and sometimes the role of the DPRD was reduced to suit the spirit that regional government and DPRD are equal partners in the administration of Regional Government, but even though the Law The Regional Government has changed, the essence of regional autonomy within the corridors of the Unitary State of the Republic of Indonesia must remain the spirit in the dynamics of regional administration.

Based on Law Number 23 of 2014 concerning Regional Government, the position of the DPRD as a regional legislative body has an equal position and is a working partner of the regional government. The DPRD and the Regional Head are one part of the regional government. In addition, even though the position of the DPRD is equal to the regional head, in practice the allocation of power owned by the regional head is greater than that of the DPRD. This happens because the regional head has two functions, namely as the regional head and as the regional head. As head of an autonomous region, his function is to lead and be fully responsible for the running of regional government, while as head of a region, his function is to lead the administration of general administration. As the head of the region, he is an extension of the central government (deconcentration principle).¹⁴

The authority of the DPRD in carrying out its supervisory function is also related to other DPRD functions. As has been stated, as an element of regional government administration, the DPRD has functions in order to oversee the running of regional government. These functions include legislative functions, budget functions and supervisory functions. It can be explained that the function of legislation is regional legislation which is the function of the DPRD to form regional regulations with the regional head. The budget function is a function

¹⁴ Lili Romli, *Potret Otonomi Daerah dan Wakil Rakyat di Tingkat Lokal*, (Yogyakarta: Pustaka Pelajar, 2007), 230.

carried out by the DPRD together with the local government to prepare and determine the APBD. The oversight function is the function carried out by the DPRD to carry out supervision over the implementation of laws, regional regulations and regional head decisions as well as policies established by the Regional Government.¹⁵

Meanwhile, to carry out its supervisory function, the DPRD is given the task and authority to supervise the implementation of regional regulations. This authority is also complemented by the DPRD's right to submit interpellation rights, inquiry rights and the right to express opinions. In addition, the authority and rights of DPRD members are also added to the rights of DPRD members to ask questions, request information, submit opinions and conduct investigations. The right of interpellation is the right of the DPRD to request information from the Regional Government regarding regional government policies that are important and strategic and have a broad impact on the life of society and the state. The right of inquiry is the right of the DPRD to carry out investigations into important and strategic Regional Government policies that have a broad impact on the life of society and the state that are suspected of contravening laws and regulations. The right to express opinions is the right of the DPRD to express opinions on Regional Government policies or regarding extraordinary events that have occurred in the country accompanied by follow-up solutions from the right of interpellation and the right of inquiry.¹⁶

The presence of regional regulations actually aims to empower the community and realize regional independence, in order to achieve the objectives of regional regulations it is necessary to supervise the implementation of regional regulations, the implementation of regional regulations greatly impacts the sustainability of life in the area so that in the implementation process it must be escorted to create a climate of good governance so that the welfare of the people in the area can be achieved. the weak implementation of the DPRD's oversight function towards regional regulations has implications for the effectiveness of regional regulations, the ineffective implementation of DPRD supervision has resulted in regional regulations not being implemented optimally so that they have an impact on the administration of regional government, bearing in mind that regional regulations are the legal

¹⁵ Christine S.T. Kansil, *Pemerintahan Daerah di Indonesia*, (Jakarta: Sinar Grafika, 2008), 41.

¹⁶ Nomensen Sinamo, *Hukum Pemerintahan Daerah di Indonesia*, (Jakarta: Pustaka Mandiri, 2010), 51.

umbrella in an area. So that the DPRD's supervisory function of regional regulations is a counterweight in the administration of regional government.

The implications of the supervisory function of the Regency and City DPRD on the implementation of regulations have an impact on the success or failure of the implementation of Regional Regulations, because the implementation of Regional Regulations that are supervised and those that are not supervised in terms of achievement will be very different so that the implications that can be seen from the supervisory function on the implementation of Regional Regulations, that Regional regulations that are supervised will tend not to cause problems and have a good impact on the community. With the supervisory function carried out by the DPRD on the implementation of regional regulations, it will have an impact on the success or failure of local government administration, regional regulations as regulations for the continuity of life in the region so that the implementation of regional regulations must be carried out as they should, less effective supervision will have implications for the implementation of regional regulations. which is not good, as an institution that has the authority to oversee the implementation of regional regulations DPRD must maximize the functions and rights they have, so that the implementation of regulations carried out by the government runs optimally.

DPRD supervision of the implementation of regional government is an activity process that is aimed at ensuring that government in the regions runs according to the plans and provisions of the applicable laws and regulations because without supervision, the implementation of government in the regions cannot run according to the plans and provisions of the applicable laws and regulations. because the implementation of governance in the regions is based on the wishes of the authorities or regional officials, the supervision carried out by the DPRD is related to the administration of government affairs. So the supervision carried out by DPRD members on the executive branch can be interpreted as a process or series of activities of monitoring, checking and evaluating the implementation of public policies carried out to ensure that all policies, programs or activities carried out by public institutions run according to the rules set by the DPRD. previously set.

THE IDEAL FORM OF THE OVERSIGHT FUNCTION OF REGENCY AND CITY DPRD'S IN AN EFFORT TO SUPERVISE THE IMPLEMENTATION OF REGIONAL REGULATIONS

Ideas in a theoretical form will be realized after seeing directly an implementation-oriented activity, ideas that are complemented by valid facts and data will be easy to understand, then the ideal form is an idea that is formed from a theoretical arrangement combined with an implementation, so that you can see how the correlation between an instruction that has been outlined with the final result.

Good governance is capable government take responsibility for all attitudes, behavior and policies are made in a manner politics, law, and economics and publicly informed, as well as open opportunities for the public to supervise (control) and if in practice has harmed the people, thus must be able take responsibility and accept lawsuits for this action.¹⁷ Supervision Regional administration is aimed at creating an efficient government, effectively oriented towards achieving the vision and mission. With such supervision is expected can provide input for decision making to: (1) stop or eliminating errors, irregularities, fraud, waste and injustice; (2) prevent the recurrence of mistakes, deviations, abuse, waste, these obstacles and injustices; and (3) find better ways or fostering those who have been good to achieve goals in carrying out the main tasks and functions organization and achievement of the vision and mission of the organization in governance area. While the most important benefits of supervision are: (1) the availability of information materials for management about the real situation in which the organization is different; (2) identification of the supporting factors for the operationalization of the plan with efficiency and effectiveness; (3) understanding of the various factors that give rise to various difficulties in organizing various operational activities; (4) what steps can be immediately taken to reward satisfactory performance; and (5) what are the immediate preventive actions will be carried out so that the deviation from the standard does not continue.¹⁸

In general it can be said that supervision over all activities of the Regional Government including Regional Regulations and regional head decisions, is an absolute consequence of the existence of a unitary state. In a unitary state, we do not recognize a part that is separate from

¹⁷ Aminudin, "fungsi pengawasan DPRD dalam mewujudkan tata kelola pemerintahan yang baik", *Jurnal Katalogis* 3, no. 12 (Desember, 2015): 132-141.

¹⁸ Umar Juharni, "Model Pengawasan Dprd Terhadap Pemerintah Daerah Di Kabupaten Sinjai", *Jurnal Ad'ministrare* 3, no. 1 (2016): 59.

or equal to the state, nor can there be a state within a state. If it is connected with the supervision of the Regency and City DPRD, that the DPRD has the function of overseeing the implementation of regional regulations and regional regulations are products made by the DPRD and the regent/mayor, an equal partnership between the DPRD and the regent/mayor in running the government requires supervision of the implementation of regulations. area, so that the regulations that have been made can be implemented as much as possible.

The oversight referred to above is the DPRD's control over the implementation of regional regulations, this is in line with Bagir Manan's opinion on oversight that views control as a function as well as a right, so it is commonly called the function of control, or the right to control. Control contains dimensions of supervision and control. Control exercised by the DPRD is the authority granted by law regulated in Law Number 23 of 2014 concerning Regional Government that one of the functions of the Regency and City DPRD is the Oversight function and is manifested in the form of overseeing the implementation of regional regulations.

In carrying out supervision of the rule of law, planning is something that needs to be considered, starting with good planning it will be accommodated and structured in carrying out supervision of regional regulations, at least there are several things that need to be considered in planning and carrying out supervision as follows:

- a. So that the implementation of functions is carried out in an orderly manner based on the applicable laws and regulations and based on the foundations of fairness in order to achieve the best possible results.
- b. So that the implementation of supervision is carried out in accordance with government plans and programs as well as applicable laws and regulations so that the set targets are achieved.
- c. So that development results can be assessed how far they have been achieved to provide feedback in the form of opinions, conclusions and suggestions for policies, planning, guidance and implementation of general government and development task.
- d. In order to prevent as far as possible the occurrence of waste, leakage and irregularities in the use of authority, manpower, money and equipment owned by the State, so that an apparatus that is orderly, clean, authoritative, effective and efficient can be developed.

The planning above is a way of supervising regional regulations that is oriented towards the ideal form of the supervisory function, so that in carrying out an activity related to

the implementation of supervision it can be carried out properly and in accordance with the initial planning of an implementation. Good planning is the first successful implementation of the main tasks and functions. Therefore, the formulation of a plan regarding DPRD supervision activities to be carried out is a very important step and determines the effectiveness of the supervision to be carried out. So that supervision is an objective and independent assessment of officials or local government. Supervision must be able to help, provide motivation to authorized officials to take policies in increasing thrift, efficiency and effectiveness by showing ways/how to improve, discipline, perfect and improve performance.

By creating an ideal form of the DPRD's supervisory function on the implementation of regional regulations, it will help the process of implementing better supervision, of course this will have an impact on the effectiveness of regional regulations, and as a whole it aims to develop democratic life in the regions, guarantee the representation of the people and regions in implementing their duties and authorities, as well as developing a check and balance mechanism between the DPRD and the regional government as fellow elements of regional government administration for the realization of good governance. In order to achieve this, an ideal form of supervision is needed. In realizing this ideal form, it is necessary to first recognize the type of supervision so that an ideal supervision is formed. These types of supervision are:¹⁹

- a. Preliminary supervision (feedforward control), designed to anticipate problems or deviations from standards or objectives and allows corrections to be made before a certain stage of activity is completed. So, this monitoring approach is more active and aggressive, by detecting problems and taking the necessary action before a problem occurs. This supervision will be more effective if the supervisor is able to obtain accurate and timely information about the latest changes to the development goals.
- b. Supervision is carried out simultaneously with the implementation of activities (concurrent control), carried out during an activity. This type of supervision is a process where certain aspects of a procedure must be approved in advance, or certain conditions must be met before activities can be continued, or it becomes a kind of "double-check" tool that better guarantees the accuracy of the implementation of an activity.

¹⁹ Hani Handoko, *Manajemen Personalia dan Sumberdaya Manusia*. Cetakan Kesebelas. (Yogyakarta: BPFY-Yogyakarta, 2013), 361.

- c. Feedback control, also known as past-action control, measures the results of an activity that has been completed. The reasons for deviation from the plan or standard are determined, and the findings are applied to similar activities in the future. This supervision is historical, measurements are made after the activity occurs.

With all the forms of planning and the type of supervision carried out by the Regency and City DPRD in carrying out the supervisory function of regional regulations, it is also necessary to pay attention to the general constraints that often occur, such as the following:

- a. The political factor, in this case the supervisory function has not been maximized because it is influenced by political factors, which becomes more complicated when it enters the trap of real power politics. The oversight function carried out by the DPRD has greater political policy weight than administrative weight.
- b. The human resource factor, the limited resources of DPRD members to carry out the oversight function, which is influenced by the lack of education and experience regarding the oversight function of DPRD members. This is because DPRD members are selected and appointed from election-winning parties who have different educational and work backgrounds before becoming DPRD members.
- c. Regulatory Factors, DPRD supervision of the implementation of regional regulations regarding the Duties and authorities of the DPRD to carry out supervision of the implementation of regional regulations and other laws and regulations Regional Head regulations, APBD, Regional Government Policies in implementing regional development programs and international cooperation in the regions. Without further detail regarding the limits of authority and methods of supervision. As a result, each DPRD defines the oversight function according to what it wants.

In the theory of legal effectiveness put forward by Soerjono Soekanto, the effectiveness of a law can be determined by 5 factors, namely the legal factors (laws), law enforcement factors, law enforcement facilities and infrastructure, community factors and cultural factors:²⁰

²⁰ Amboro F & L. Persyadayani, "Efektivitas Pelaksanaan Pengawasan Metrologi Legal Terhadap Peningkatan Retribusi Daerah di Kota Tanjungpinang", *Journal of law and policy* 6, no. 1 (2021): 128.

- a. The legal factor itself (law), which functions for certainty, justice, and expediency. The law influences the effectiveness of the law so that in making laws (laws) the principles of legislation must be considered so that the laws made can produce the expected results and consequences.
- b. The law enforcement factor is the party that forms or applies the law. Law enforcers also have an influence on the effectiveness of the law, whether these law enforcement officers have acted in accordance with what they should, this is related to the quality of the law enforcers themselves.
- c. Facility and infrastructure factors in law enforcement, the good facilities provided by law enforcement officials will support the performance of law enforcers themselves in accordance with their respective needs, be it software or hardware.
- d. Community factors, namely the environment in which the law applies or is applied. Community factors are also important in the effectiveness of law, it must be seen from the perspective of legal compliance in the community whether there is a sense of awareness.
- e. Cultural factors as a result of work, creativity and taste based on human initiative in social life.

From the theory put forward by Soerjono Soekanto it can be combined with the implementation of supervision of regional regulations, several factors have been put forward such as legal factors, as the rule of law is a guideline in the implementation of supervision, so clear and firm regulations are needed, then the law enforcement factors, in this case those who carry out Supervision of regional regulations is a member, has acted in accordance with the rules that should be and is able to carry out the implementation of the supervision. Next, the influencing factors are the facilities and infrastructure in law enforcement, this will affect DPRD members in carrying out the oversight function of regional regulations with good facilities that will support the performance of Regency and City DPRD members.

The ideal form of the supervisory function rests on the evaluation carried out by the DPRD on the implementation of regional regulations, with an evaluation it will be seen the application and effectiveness of these regional regulations, how achievements have been made so that it will be very easy to hold accountability, the implementation of the DPRD's evaluation of the implementation of regional regulations is still it is very minimally implemented in the sense that it is still not a priority, this needs to be a concern that a good evaluation will have an

effect on the performance of regional regulation implementers thus an ideal form of oversight will be formed if the evaluation process is carried out regularly and systematically.

RENEWAL AND SYNCHRONIZATION OF REGULATIONS ON THE OVERSIGHT FUNCTION OF REGIONAL PEOPLE'S REPRESENTATIVE COUNCILS IN REGENCIES AND CITIES

The presence of people's representatives in a democratic country is not to reduce the authority of the executive, but must be seen as an effort to better ensure the interests of the people in all government policies, including local government. Furthermore, the function of the legislature is understood not as forming all legal norms, but only forming general norms by a special organ called the legislature. The form of oversight of government is a concept of a rule of law by using the principle of the rule of law, meaning that oversight of the administration of government in a country must be based on the principle of legality, that is, it remains based on the provisions stipulated in laws and regulations.²¹

In order to create a prosperous society and the realization of good human resources in all aspects related to the sustainability of the government, in this case the local government, must prioritize the optimization of regulations that have implications for a better community life, one of which is the process of strengthening and empowering the DPRD's supervisory function in the future. In the future, it is indeed necessary to quickly correct the weaknesses that have occurred so far, but there are also things that need to be optimized and more empowered. These things are optimizing the role of the regional apparatus, the existence of clear and straightforward DPRD rules, as well as other things that need to be corrected by the DPRD.²²

The Rules of Order are regulations that regulate the continuity of the DPRD in carrying out its duties, therefore it must be transparent and easy to understand. so that the Tatib must also be straightforward, clear, and not confusing. In essence, the Tatib should be used to speed up the work pace of board members and their staff. The working mechanism of the Regency and City DPRDs is based on or guided by Government Regulation Number 12 of 2018

²¹ H Ali Mufti, *DPRD dan Tugas Check and Balances*, (Ponorogo: Wade Group, 2017), 70.

²² Yusuf Wibisono, "Penguatan Fungsi Pengawasan Dewan Perwakilan Daerah Dalam Rangka Proses Demokratisasi di Tingkat Lokal", *Jurnal Ilmu dan Budaya* 40: 191.

concerning Guidelines for the Preparation of DPRD Standing Regulations. Thus the DPRD rules are guided by or cannot be separated from the policies determined by the Central Government. Meanwhile, the DPR's Standing Orders are made by the DPR itself. It can be assumed that the DPRD Rules of Procedure are full of signs made by the Central Government. The relationship between the Regional Head and the DPRD is less balanced and this is not much different from the conditions that exist at the center between the President and the DPR. So that the DPRD Standing Orders need further discussion on changes and synchronization of adjustments in the regions. Supervision of regional regulations is one of them that the form of supervision carried out in the decree must be even stricter, so that the implementation of the supervisory function is not just a formality.

The limitations of the DPRD's supervisory authority have so far invited a lot of debate, including within the DPRD itself. There are those who argue that the DPRD's authority in supervision is only limited to policies as stipulated in Government Regulation Number 12 of 1017 concerning Guidelines for Supervision of Regional Government Administration. On the other hand, many practitioners are of the view that DPRD members need to carry out more thorough oversight, including in the context of management. Almost all Regional People's Legislative Councils stated that supervision often involved very technical aspects. For example, the Regional People's Representative Council supervises the construction of buildings or other infrastructure facilities.²³

The supervision above will also lead to an inharmonious relationship with the regional government DPRD supervision of the implementation of regional governance is a process of activities aimed at ensuring that regional administrations run according to the plans and provisions of the applicable laws. Oversight by DPRD members of the executive branch can be interpreted as a process or series of monitoring, inspection and evaluation of the implementation of public policies to ensure that all policies, programs or activities are carried out.

Therefore, it is necessary to strengthen the role of the DPRD as a legislative body that has a supervisory function. What is meant by the function of the budget is the function of the DPRD together with the regional government to prepare and determine the APBD which

²³ Agung Djosoekarto, *Dinamika dan Kapasitas Dewan Perwakilan Rakyat Daerah dalam Tata Pemerintahan Demokratis*, (Jakarta: Konrad Adeneur Stiftung, 2004), 235.

includes the budget for the implementation of the functions, duties and authority of the DPRD, while what is meant by the oversight function is the function of the DPRD to supervise the implementation of laws, regional regulations, and regional head decisions as well as policies set by the regional government, optimizing this role is very dependent on the ability level of DPRD members, so one of the efforts made can be identified with efforts to improve the quality of DPRD members' human resources. The results of quality improvement can be measured by how big the DPRD's role is in terms of equal partnership with the executive branch in preparing budgets, drafting and enacting various Regional Regulations, as well as from the Control side, namely the extent to which DPRD has effectively supervised Regional Heads in implementing Regional Regulations, implementation of the budget and public policies that have been set.

The supervisory function of the Regional People's Legislative Assembly for regional governments is policy oversight and not technical oversight. Likewise, the supervision that has been described that DPRD in carrying out supervision of the implementation of Regional Regulations, is policy oversight. This means supervising the Policy, the contents of which are so that the implementation of the supervision is in accordance with existing laws and regulations.

After the results of the author's analysis, that the author concludes that Law Number 23 of 2014 concerning Regional Government regulates the functions of the Regency and City DPRD, namely of 3 functions, one of which is the supervisory function, then that supervision is carried out in the supervision of implementing regional regulations, for the form of implementing supervision not regulated so that it is regulated in Government Regulation of the Republic of Indonesia Number 12 of 2018 Concerning Guidelines for Compiling the Standing Orders of Provincial, Regency and City Regional People's Representative Councils and Government Regulation Number 17 of 2017 concerning Guidance and Supervision of the Implementation of Regional Government these two regulations explain how the implementation oversight function but there is a difference that in article 20 paragraph (1) PP No. 17 of 2017 concerning the Guidance and Supervision of the Implementation of Regional Government, the supervision carried out by the DPRD is of a policy nature, whereas PP No. 12 of 2018 does not explain, and the explanation is in the form of the oversight function, namely a. commission working meetings with Regional Governments; b. work visit activities; c. public hearing meeting; and d. Public complaints. In this case the form of the oversight function that

is sounded leads to indicators of technical oversight so that in its implementation it is not only limited to policy oversight, so it is necessary to synchronize the regulations governing the oversight function.

Clear and strict regulations are needed in the mechanism of the form of supervision carried out, the author is of the opinion that the form of supervision carried out must be more specific which was previously general in nature, so in this case the author offers updating and synchronization of the regulations governing the supervisory function in the future. In this case the author offers to renew the rules governing the implementation of supervision of Regional Regulations as stipulated in Government Regulation Number 12 of 2018 Concerning Guidelines for the Preparation of the Standing Orders of the Provincial, Regency and City Regional People's Representative Councils, specifically in article 21 Article paragraph (2) which were previously Supervision as referred to in paragraph (l) could be carried out through:

- a. Commission working meetings with Regional Governments;
- b. Work visit activities;
- c. Public hearing meeting; And
- d. Public complaints.

Become:

- a. Evaluation of the commission's work with the Regional Government;
- b. Working visit meetings;
- c. Public hearing meeting; And
- d. Community active role.

Thus, after seeing the phenomena in the Regency and City DPRD's and supported by literature and previous research, the authors offer changes to the implementation of supervision of the Regency and City DPRD's, especially regarding the Regional Regulations that the author described above, then in the process of strengthening and empowering the DPRD's supervisory function in the future, it is indeed necessary to quickly fix the weaknesses that have happened so far, but there are also things that need to be optimized and more empowered. These things are optimizing the role of regional apparatus, the existence of clear and straightforward DPRD rules.

CONCLUSION

The supervisory function of the DPRD of Kampar Regency and Pekanbaru City regarding the implementation of Regional Regulations based on Law Number 23 of 2014 concerning Regional Government. That the implementation of the supervisory function of Regional Regulations in Kampar Regency and Pekanbaru City has not been carried out optimally, this is due to the lack of evaluation carried out in the implementation of supervision of Regional Regulations and also supervision of Regional Regulations has not become an important concern for DPRD members, regarding the regulations governing the function oversight, namely government regulations that are less strict and clear in regulating the DPRD's supervisory function of Regional Regulations.

The implications of the supervisory function of the Regency and City DPRD for the implementation of regulations have an impact on the success or failure of the implementation of Regional Regulations, because the implementation of Regional Regulations that are supervised and those that are not supervised in terms of achievement will be very different so that the implications that can be seen from the supervisory function on the implementation of Regional Regulations, that the Regional Regulations that are supervised will tend not to cause problems and have a good impact on the implementation of said Regional Regulations. Whereas the ineffective implementation of DPRD supervision has resulted in regional regulations not being implemented optimally so that they have had an impact on the administration of regional government, considering that regional regulations are the legal umbrella in an area, so that the DPRD's supervisory function of regional regulations acts as a counterweight in the administration of regional government.

The ideal form of the oversight function of Blood Regulations focuses on evaluating the implementation of Regional Regulations. To support this activity, clear and firm regulations are needed in the mechanism for implementing supervision carried out. The authors conclude that the implementation of supervision must be more specific, which previously was general in nature. so that in this case the author offers an update on the form of implementation of the supervisory function and synchronization of the regulations governing the supervisory function in the future.

The need for renewal and synchronization of the DPRD Standing Orders with related regulations, so that the process of strengthening and empowering the DPRD's supervisory function in the future, so that it can quickly correct the weaknesses that have occurred so far. then attention to formal education as a DPRD member should be given a limit, namely a minimum of Bachelor's degree (S1) education, because how is it possible as a DPRD member who only has an education equivalent to high school and does not have sufficient experience to be able to oversee a very complex local government. So that it is necessary for DPRD members to be competent and understand the duties and powers they have. as well as Optimizing the Role of the DPRD's Complementary Instruments in supervising Regional Regulations, that the commission has the task of overseeing Regional Regulations but it does not rule out the possibility that other complementary instruments are formed specifically to deal with oversight issues, for example Special Committees, working committees and others. Therefore, in order to optimize the oversight function, the DPRD must optimize the role and function of the apparatus of the council.

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