

The Effectiveness Of Regent's Authority Delegation To The Subdistrict Head In Kutai Kartanegara Regency

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ABSTRACT: This study aims (a) to analyze the effectiveness of regent authority delegation to subdistrict head in Kutai Kartanegara regency, (b) to determine the cause of effectiveness in regent authority delegation enforcement to sub-district head in Kutai Kartanegara regency. This study used an explanative-qualitative approach, in which the location consists of three (3) major parts i.e (a) Inland Subdistrict: Kota Bangun and Muara Muntai, (b) Coastal subdistrict; Sanga-sanga and Samboja and (c) Urban Subdistrict; Tenggarong, Loa Kulu. The data was collected by using an interview, observation and documentation techniques. The data was processed by stages-interactive model (a) data collection, (b) data presentation, (c) collection/verification, and (d) data reduction. The results of this study shows that (a) the regent authority delegation to subdistrict head in Kutai Kartanegara regency has not been effective, (b) the supporting factors of authority delegation effectiveness was awareness and public demand for a policy that directly related to the public interest.

Key words: Effectiveness, authority delegation.

1 INTRODUCTION

The enactment of Act No. 32 of 2004 and No. 33 of 2004 regarding Local Autonomy then largely of authority that had previously in central government been submitted to the autonomous regions, so that the autonomous local governments can more quickly in response to the demands of local communities in accordance with the capabilities. The successful of local autonomy implementation depends on the ability of local revenue (PAD) and Human Resources (HR). The objective of local autonomy implementation is to create the good governance that will produce a strong bureaucracy, professional, efficient, productive and provide excellent service to the community. In both the communities and governments can happen synchronization is touching, support and complement in a single step towards the achievement of national development goals. A public demands to the government is improving public services. The creation of good public service become a public's demand every day. Needs and the complexity of growing problems make the government as a party is required to be able to accommodate these interests to be met properly. Kutai Kartanegara regency in the implementation of local autonomy is actually not much different from those faced by districts/cities in Indonesia.

Factually, there are strengths and weaknesses in the face of local autonomy, i.e the funding source, including very supportive, because it has a very potential resource, not just a source of revenue from oil and gas, but the source of non-oil and gas is able to finance the tasks of governance, development and general service. But on the other hand, the lack of professional competence of personnel resources, as well as the extent of jurisdiction appears to be a factor that haunt the establishment of governance and the disparity of development and public service. Due to the implementation of local autonomy should bring meaningful change to the lives of local communities without the occurrence of discriminatory actions. Thus, all aspects of development was conducted by local government must touch all levels of society. Various constraints that occur in relation to the subdistrict level related to the public service, although there has been a policy to make the sub-district as the central of administrative service delivery. Sadu (2010) stated that the constraints faced i.e (a) the lack of authority delegation clearly, detailed and measurable from the Regent/Mayor to the subdistrict head, (b) does not alignment of material various regional regulations regarding licensing and non-licensing services for their redistribution policy authority derived partly from other SKPD to the sub-district head, resulting in overlap of government affairs with SKPDs, (c) the lack of budget support, personnel and logistics are balanced by the extent of authority delegation from the Regent/Mayor to subdistrict head, (d) not or not arranged the organization as needed to provide optimal service to the community, (e) not harmonize the main task and function of SKPD related to the authority redistribution and (f) there is no a clear working relationship mechanism between Local Government Offices (SKPD), thus blurring the responsibility and accountability if there is a problem. The regulation of Kutai Kartanegara regent No. 6 of 2011 regarding authority delegation partially of regent to subdistrict head, includes two major authority i.e obligatory and alternative affairs. Related to the obligatory affairs in authority delegation partially of regent to the sub-district head is in terms of (a) employment, the service distribution of registration card (AK/I) for job seekers, (b) public works, namely Building Permit (IMB) for home stay, (c) transportation, including village transportation licensing, river crossings (d) land, including the release and ownership of land, (e) the empowerment of rural communities, (f) the unity

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of nation and domestic politics, the annoyance licensing (HO) for business activities and (g) local autonomy, including retribution of local wealth consumption, purchase and sale installment of official vehicles. While, the alternative affairs which are (a) agriculture, rice mills license (b) fisheries, freshwater aquaculture, SKA, (c) energy and mineral resources, underground excavation license, water management, (d) tourism, including lodging license, swimming pool, fishing, (e) trade and industry, including small industrial registry, small-industry of brown sugar, soybean, and (f) the farm, people farm registry, livestock SKA, livestock medicine shop. Look in authority aspect of Kutai Kartanegara government is very broad and therefore the governance is no longer flexible, effective and efficient. According to regulation of Kutai Kartanegara regent No. 6 of 2011 mentioned above, the objective of partial authority delegation to the sub-district head are (a) conduct public service functions effectively and efficiently, (b) bring nearer the services to the people, (c) to encourage the growth of accountability for sub-district performance and (d) to clarify and reinforce the position of sub-districts in carrying out its functions and duties. The importance of authority delegation, there are several things, the first is the delegation of authority allows the subdivision or subordinate to learn something new and get a chance to do something new. This situation allows the subordinates to learn to be responsible for something new. The second is that the delegation of authority to encourage the achievement of better decisions in a variety of ways. The delegation of authority to subordinates, such as in this case where the subordinate is knowing the circumstances, will drive the outcome of the work to be better because of the work is given or transferred to the more knowing the real situation in the field. The third is the completion of work can be done more quickly in case the delegation of authority is running properly and given to the person responsible. (Budiarta, 2010) From the temporary observation the object of study indicates that the authority delegated to the subdistrict's governments are implementable cannot run as expected. Conditions in the field indicate that the delegation of authority has not completed the technical instructions and format of the district-level agencies, where this condition can certainly become a constraint in the implementation of an organization. In addition, a coordination system built between the subdistrict's government with related agencies are still weak so that the development process cannot work as expected. Conditions in the field indicate that the delegation of authority of regent to the subdistrict head does not work effectively, it is mainly due to less orderly mechanisms or systems in place. Today, districts/cities in Indonesia aggressively execute the mandate of Article 66 of Act No. 22/1999, the delegation of authority to the subdistrict head. Unfortunately, the policy was not able to work optimally at the implementation stage. Many factors affect this condition, i.e the rules regarding echelon positions that inhibits the transfer of personnel, approach and delegation of authority are still relatively homogeneous with structural juridical approach (top-down), the lack of technical and operational guidelines that are operational, yet the concept of balance resources between district/cities with subdistricts, and so on. Sub-district functions as task implementer of "general rule" is actually accommodated also in the decision of Domestic Affairs Ministry No. 158/2004. This can be seen from the arrangement of two limited sections (expressed as mandatory in the legislation), i.e the Government section and Serenity

and Order Section. The both this section, is substantially included in the category of authority in the field of "General Government". However, if the subdistrict will be directed to implement the "General Government" only, then this is not in line with the provisions of Article 3 the decision of Domestic Affairs Ministry No. 158/2004 which states that "sub-district head has a task and function to conduct the governance authority delegated by the Regent/Mayor as regional characteristics, local needs and other administration tasks". In other words, the decision of Domestic Affairs Ministry No. 158/2004 tend to commanded the subdistrict to participate conducting substantive authority/material. And this is an inconsistency of this decision of Domestic Affairs ministry. Attention to the phenomena that occur in the field is very interesting to be studied more in depth, given the highly coveted delegation of authority by the public because the policy is more flexible, effective and efficient. With delegated some authority of regent to the subdistrict head means more effective and efficient services due to the public no longer faced with a convoluted bureaucracy, in time, labor and costs. With the delegation, then all matters that should be resolved in the district, then in the presence of some delegation of authority all matters can be resolved at the subdistrict level.

2. RESEARCH METHODS

This study is a case study conducted by using explanative-qualitative approach, conducted at three (3) cluster i.e (1) Inland subdistrict (Kota Bangun and Muara Muntai) (2) Coastal Subdistrict (Sanga-sanga and Samboja) (3) Urban Subdistrict (Tenggarong and Loa Kulu) The main focus of this study were (a) the administrative standards in public service related to the authority delegation, (b) the improvement of human resources of implementer personnel to the authority delegated, (c) the existence of facilities/support facilities, and (d) the line of coordination in the implementation of authority given. The data collecting was conducted in this study as follows (a) interview, (b) observation, (c) documentation. The data were analyzed by using qualitative methods. Data processing following the steps (a) data reduction, (b) data presentation, (c) conclusions/verification

3. RESULTS AND DISCUSSIONS

In principle, the problem of authority delegation of regent to the subdistrict head in Kutai Kartanegara regency is constituted by two (2) main aspects: (a) the administrative aspects related to the technical implementation in the field and (b) the readiness aspect of human resources as implementer of the authority.

The Effectiveness of Authority Delegation

1. Labor

Realization of AK/1 (Yellow Card) making for job seekers is a form of authority delegation is more effective, because almost all the subdistricts implement it. Yellow Card making is a demand of the public, this is due to this card become a requirements to seek a good work in both government and private offices, all the more because the private company which makes a lot of local labor as a priority in the work. Factors that influence so enthusiastic community in the care of a yellow card is people do not need anymore to the district capital ever obtaining a yellow card can be performed in the subdistrict were located much closer besides that the process

has created a standard so that people can more easily access at the subdistrict office. Basically, subdistrict staff have sufficient experience and have operational standards, and for the amount of people's demands to take a card. Facilities and adequate infrastructure is an indicator of the success of authority delegation of regent to the sub district head.

2. Land

The administer of land in Kutai Kartanegara regency as a things going with effectively. Socialization by sub-district or village office staff. The administer of land and the governing process has become a thing conducted in the area. Land contains conflict if not taken care properly. In related to that, then the district or central government give a serious attention to this problem, because it affects a lot, both in terms of law, investment and people welfare in overall. By the implementation of land registration which will create orderly administration in the field of land, for the orderly realization of land administration will facilitate any activity relating to land development in Indonesia.

3. The Delegation of National Unity and Political Affairs

Annoyance license (HO) is a permission given by the local community for the surrounding businesses. It is a business activity license to an individual/institution at certain location that potentially creates dangerous in loss and disruption, peace and public order does not include activities/ business site that located has been appointed by the Central Government or Local. The authority delegation of regent to the subdistrict head is effective, because the sub-district government has issued this license. Tenggarong subdistrict is able to realize 153 license and the lowest was Muara Muntai subdistrict with 12 annoyance license. The greatest frequency occurred in June 2014, with the number of license out is 93 and the smallest in June is 34 licenses.

4. Authority in the Field of Public Works

The authority delegation of regent to the subdistrict head Kutai Kartanegara regency is a factor that is thought to increase local revenue and is seen to be able to provide optimal service to the community. The authority delegation in the field of public works is delegated to the sub-district in terms of making a home stay building license. Realization of home stay building license making at the study site during June to September 2014, only occurs in Loa Kulu, Sangasanga, Samboja and Tenggarong subdistricts. In contrast, in Kota Bangun and Muara Muntai subdistrict there is no realization of home stay building license making. This condition shows that the authority delegation of regent to the sub-district head in terms of public works or building license making is less effective.

5. Industry and Trade

The development of industrial in Kutai Kartanegara regency is growing very rapidly, it is because this area has a tendency to open as wide as possible for foreign investors to compete to invest as much as possible. However, it would be bad for local merchants, having lost in procuring capital for business development. The authority delegation of regent to the sub-districts head in Kutai Kartanegara regency in the field of industry and trade i.e small industrial of brown sugar, fish drying, soybean, crackers and etc and small industrial such rubber fumigation and individual trade business license in sub-district. In reality of field, the delegation of authority in this field is less effective. The realization of industry and trade field is

delegated by business such as brown sugar, soybean, crackers and etc have not been well developed so the business is not feasible to given a license.

6. The Authority Delegation of Tourism

Tourism is everything related to the tourism administration. It is a trip activity or part of these activities are carried out voluntarily and temporarily to enjoy objects and tourist attraction. Reality on the field shows that, one of businesses that are seen amid the urban community associated with tourism license in Kutai Kartanegara is the inn, but in reality, almost no licensing out to do with this business. Thus, it can be said that the authority delegation of regent to the subdistrict is less effective in terms of tourism.

7. The Authority of Local Finance

The indication of the success of local autonomy is an increase in service and public welfare are getting better, more advanced democracy, justice, equality, and the harmonious relationship between the central and regional and inter-regional. The state will only be achieved if the region can manage the administration to include the Financial Administration. The type the authority delegated related to this finance are (a) retribution of local wealth consumption, (b) sale and purchase installment of official residence located in the subdistrict, (c) sale and purchase installment of the office vehicle in the subdistrict. The data in field show that in research site, none of subdistricts which are capable to realize this authority. This indicates that the authority delegation of Regent to the sub-district head in the financial is not effective.

8. The Authority Delegation in the Field of Transportation

The authority delegation partially of regent to the subdistrict head in the fields of transportation includes (a) Rural transport business license in subdistricts area for the individual, (b) Local courier service license of subdistricts and; (c) River crossing transportation business license and parking location determination. The relation with the authority delegation in the field of transportation, until now the sub-district has not been issued a rural transportation license both for individuals and for large companies. Transportation business have not managed professionally. In addition, the community also has never asked river crossing transportation license. Parking businesses is managed by the community, and also the river crossings transportation business. This condition indicates that the authority delegation of regent to the subdistrict head is ineffective.

9. The Delegation of Agriculture and Foodstuffs

Food is defined as everything that comes from biological sources and water, whether treated or untreated. It is intended for human consumption as food or drink, including food additives, food raw materials, and other materials used in the preparation, processing, and or manufacture of food or drink. The delegation of agriculture and foodstuffs of Regents to the sub-district head, includes (a) Rice Milling/Huller licensing and (b) Rice processing belongs to the citizen who does not use foreign capital. The rice mills licensing in several subdistricts in Kutai Kartanegara basically never existed. This area is largely coastal areas where the rice or paddy rice business is not much done by the community. Consequently, less rice milling business done by the community. The authority delegation of

regent to the sub-district head in agriculture and food security is ineffective.

10. The Delegation of Fisheries Sector

Fishing is a human activity that is related to the management and utilization of aquatic biological resources. Activities included in fisheries starting from preproduction, production, processing to marketing, which is implemented in a system of fishery business. The authority delegation partially of regent to the subdistrict in Kutai Kartanegara regency was specialized to the fishing business with no motorized boats, but in reality shows during June to September 2014 was not a single sheet license the realization of activities in the fisheries concerned. Thus, it concluded that basically the authority delegation to the subdistrict head is ineffective.

11. The Authority Delegation of Energy and Mineral Resources

The authority delegation partially of regent to the subdistrict head in Kutai Kartanegara regency in the field of Energy and mineral resources includes (a) underground water excavation license until 2 inches in diameter, (b) business license/underground water utilization with production up 50m³/month, (c) business license/retrieval and utilization of water up 50m³/month. Ground water is water contained in the soil or rock layers below the soil surface. It is one of water resources other than river water and rain water, ground water also has a particularly important role in maintaining the balance and availability of raw water for household purposes (domestic) or for industrial purposes. Groundwater management is the management in its broadest sense includes all business inventories, regulating the use, licensing, training, control and supervision as well as underground water conservation. The results of realization in June to September 2014 showed that no one has asked for license in groundwater extraction. The government not one to realize a letter regarding this license. This indicates that the authority delegation of regent to the subdistrict head is ineffective.

12. The Authority Delegation in the Field of Livestock

Livestock is the breed and breed animals for the benefit and the results of those activities. The meaning of livestock is not limited to the rearing, but in the goals set. The purpose of livestock is looking to profit by the application of management principles to the production factors which have been combined optimally. Activities in the field of livestock can be divided into two categories, i.e large animals such as cattle farms, buffalo and horses, while the second group is a small animal husbandry such as chickens, rabbits etc. The authority delegation partially of regent to the subdistrict head in Kutai Kartanegara includes (a) People Livestock Registry, (b) Certificate of Origin of Cattle for slaughter/cut between sub-districts in the district and (c) Store/shop license and retailers veterinary medicine. The results of realization during June to September 2014, show that there is no realization of the sub-district license issued related to the field of this livestock. Thus, it was concluded that the authority delegation of regent to the subdistrict head is ineffective.

The Supporting Factor the Effectiveness of Authority Delegation

1. Facilities and Infrastructure

Adequate facilities and infrastructure, a factor which supports the authority delegation partially of regent to the sub-district head in Kutai Kartanegara regency. This area has a large enough local revenue, so the local government can prepare an adequate faculties and infrastructure.

2. Community Needs

The community needs is supporting factor in authority delegation. In this case, the fields are delegated by the regent to the sub-district head, will be effective if the delegation is closely related to the direct needs of community, such as Yellow Card (AK/1), land or annoyance license.

3. Human Resources

The ability of human resources, in this case the sub-district employee is a vital factor in the effectiveness of authority delegation of regent to the sub-district head. The role of the sub-district employee in terms of socialization, guidance and knowledge about their work field is highly influential on the effectiveness of that delegation.

4 CONCLUSIONS AND RECOMMENDATIONS

The authority delegation partially of regent to the sub-district head in Kutai Kartanegara regency began in 2011. The results showed that of 12 types of authority delegated; only the field of (a) employment, (b) land, (c) the unity of nation and politic and (d) general work are effective. The supporting factors so that the delegation of authority partially of regent to the sub-district head in Kutai kartanegara regency is effective due to the facility/infrastructure, the needs of society and human resources. The recommendation of this study is the district government would further enhance attention to the subdistrict government, particularly in terms of (a) the technical instructions of delegation, (b) training of human resources for subdistrict employees and (c) prepare operational fund related to the implementation of delegation to the subdistrict head.

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