

## Implementation Of Village-Owned Enterprises (*BUMDes*) “*Bersama Sei Rampah*” In Firdaus Village Sei Rampah District Serdang Bedagai Regency

Onny Medaline<sup>1</sup>, T. Riza Zarzani<sup>2</sup>, Merry Agnes<sup>3</sup>

<sup>1,2,3</sup> Master of Law Program, Universitas Pembangunan Panca Budi Medan, Indonesia

onnymedaline@dosen.pancabudi.ac.id

### ABSTRACT

The urgency of the establishment of the Village Law is to empower the villagers who make the village able to develop itself with its potential. To achieve national development, the village is a leading government agency that can reach groups that want to be prosperous by forming *BUMDes*. Strengthening the independence of the village through this law also places the village as the subject of government and development that really departs from the bottom (bottom up). Improving the welfare of villagers against the backdrop of the establishment of strong *BUMDes* in accordance with the objectives and principles of social justice which is a basic state value in Indonesia. The formulation of the problem that will be the subject of discussion, is: How is the implementation of *BUMDes* in Firdaus Village? This research is empirical legal research, In this study the authors analyzed primary data and secondary data to review the implementation of Village Owned Enterprises located in Firdaus Village Sei Rampah District Serdang Bedagai Regency. In this study it can be concluded that the implementation of *BUMDes* has been running quite well which is illustrated by the development of *BUMDes* from year to year and in line with the awareness of the village community in utilizing the existence of *BUMDes*.

### Keywords:

Village-Owned Enterprises (*BUMDes*); Firdaus Village; Sei Rampah Sub-District

### 1. Introduction

Village-Owned Enterprises is one of the government's efforts in alleviating poverty, and an effort to improve the welfare of villagers. *BUMDes* is a pillar of economic activity in the village that serves as a social institution and commercial institution. In addition, *BUMDes* also serves as a social institution that sided with the interests of the community through its contribution in the provision of social services. Meanwhile, as a commercial institution aims to make a profit through offering local resources to the market. (Ministry of Education National Center for Development System Dynamics Studies, 2007)

*BUMDes* as one of the embodiment of *nawacita* program aims to optimize the management of existing village assets, advance the village economy, and improve the welfare of villagers. The business nature of *BUMDes* is profit-oriented. The nature of his business management is openness, honesty, participatory and fairness. And the function of *BUMDes* is: as a motor driver of the village

economy, as a business institution that generates the Village Original Income (PADes), as well as as a means to encourage the acceleration of the welfare of the villagers. (Amelia Sri Kusuma Dewi, 2014) Departing from this, the Government of Firdaus Village felt the need to create *BUMDes*. In line with this desire, Firdaus Village felt the need to join *BUMDes* "*Bersama Sei Rampah*" which is a joint *BUMDes* owned by several villages that have the aim to prosper the villagers.

The factor that influences the success story of *BUMDes* is the ability of the village to conduct village planning related to the development of *BUMDes*. Villages that implement productive planning are able to maximize the economic functioning of *BUMDes*. (Hari Fitrianti, 2016) The alignment between the availability of professions held by the local community and the participation of *BUMDes* to form business units is the right step. The establishment of *BUMDes* is not an instructional package that comes from the Government, provincial government, or district government. If such a matter is controlled *BUMDes* will run not as mandated in the law. The government's duties and role are to socialize and awareness to the villagers.

The village government played a role in the establishment of *BUMDes* as a legal entity based on the prevailing rule of law, as well as in accordance with the agreement struck in the villagers. Further regulation regarding *BUMDes* is regulated through local regulations (Perda) after taking into account the above regulations. Village assistance on *BUMDes* should also be done gradually in accordance with the stages of the establishment of *BUMDes*. The management and management factors of *BUMDes* are also significant to determine the success of *BUMDes*. Good governance of *BUMDes* and administrators who have an entrepreneurial spirit are the key to healthy *BUMDes* management.

*BUMDes* and Village Government have a close relationship, because the Village Government is the supervisor of the activities carried out by *BUMDes*. In decision making, *BUMDes* uses deliberation mechanisms and the Village Government is the main stakeholder involved in the deliberations. The challenge for *BUMDes* and the Village Government is to maintain the balance of relations, where one party's dominance over the other should be avoided. (Maria Rosa Ratna Sri Anggraeni, 2016) The most appropriate preparation is centered on socialization, education, and training to interested parties towards improving the standard of living of villagers (Village Government, BPD, People figure / tribal leader, institutional leaders in the village).

The initial capital of *BUMDes* is sourced from APBDes. *BUMDes* capital consists of the participation of village capital and the participation of the capital of the villagers. Village capital participation consists of grants from private parties, socioeconomic institutions and/or donor institutions channeled through APBDes mechanisms, Government assistance, Provincial Local Governments, and District/City Local Governments channeled through APBDes mechanisms, business cooperation from private parties, socioeconomic institutions and/or donor institutions that are ensured as the collective wealth of the Village and distributed through the APBDes mechanism, village assets submitted to APBDes in accordance with the provisions of the laws and regulations on Village Assets. The capital investment of the villagers comes from community savings and or community deposits.

## 2. Literature Review

### **Village-Owned Enterprises (*BUMDes*)**

Village-owned enterprises are village enterprises managed by the community and village government in an effort to strengthen the village economy and be formed based on the needs and potential of the village, so the establishment of *BUMDes* is a great potential that can be maximized. *BUMDes* according to the Village Law was established among others in order to increase the Village Original Income (*PADesa*) (Zulkarnain Ridlwan, 2014). *BUMDes* is one of the economic institutions whose business capital is built on community initiatives and adheres to independent principles.

Furthermore, in article 1 number 6 of the Village Law of Village Owned Enterprises, hereby called *BUMDes*, is a business entity whose entire or most of the capital is owned by the Village through the direct inclusion of the segregated village wealth in order to manage assets, service services, and other businesses for the welfare of the villagers. A rural development effort requires the strategy and involvement of local villagers. The form in terms of village development and community empowerment is by the existence of Village Owned Enterprises (*BUMDes*). Basically *BUMDes* was established and managed on the basis of togetherness and gotong royong followed by a family spirit.

### **Village**

Law No. 6/2014 on village meaning of village is village and traditional village or referred to by another name, hereby called Village, is a unit of legal community that has the territorial boundaries authorized to regulate and manage government affairs, the interests of local communities based on community initiatives, origin rights and/or rights recognized and respected in the system of government of the Unitary State of the Republic of Indonesia. The naming of the term Village, adapted to the socio-cultural conditions of the local people such as *marga*, *nagari*, village, village, hamlet and so on and the original arrangement is special. (HAW. Widjaja, 2003)

## **3. Methodology**

This research is a descriptive study. Descriptive research aims to precisely describe the traits of an individual, circumstances, symptoms or a particular group, to determine whether there is a link between a symptom and another in society. (Amirudin & Zainal Asikin, 2014) Research in the writing of this thesis is directed to empirical legal research. Which in this study the authors examined the implementation of *BUMDes* in The Village of Firdaus Sub-District Sei Rampah Serdang Bedagai Regency for village development. This research belongs to the category of Non Judicial Case Study which is a legal case study approach that is without conflict so that there is no interference with the court. Broadly, this empirical study obtains direct data from the community where researchers focus on researching the Firdaus Village of Sei Rampah District of Serdang Bedagai Regency or primary data, but before conducting the research in the field, researchers must first have secondary data that can be library material, legislation, or even other library materials that are considered necessary and related to primary data that is also expected to support primary data. The secondary data itself consists of primary legal materials; secondary legal materials; and tertier legal materials.

#### 4. Result And Discussion

The establishment of *BUMDes* itself is not a liability for both administrative villages and indigenous villages, but it can be used as a medium for villages to be able to develop and progress as superior villages. (Dawn of Fingerprints, 2015) At the beginning of the formation of *BUMDes* "*Bersama Sei Rampah*" is an idea that emerged from some citizens who felt the need to hold *BUMDes*. Mr. Lukman Nur Hakim is one of the founder of *BUMDes* "*Bersama Sei Rampah*". Currently he is the Director of *BUMDes* "*Bersama Sei Rampah*". His appointment as Director of *BUMDes* "*Bersama Sei Rampah*" was the result of deliberations and consensus from several Village Heads who participated in the pioneering *BUMDes* "*Bersama Sei Rampah*". This is also explained in Deed of Establishment No. 31- issued by Notary Yunasril, SH., M.Kn, which is a Notary in Serdang Bedagai Regency with the position of North Sumatra Province based in Sei Rampah, based on the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number: C-88.HT.03-01-Th.2007 dated June Five, Two Thousand Seven.

In the deed it is explained that the name of *BUMDes* is *BUMDes* "*Bersama Sei Rampah*", which is located on Jalan Raya Medan Tebing Tinggi Km 58 Firdaus Village, Sei Rampah Sub-District, Serdang Bedagai Regency. The foundation of its formation is based on Pancasila and the 1945 Constitution, Law No. 6/2014 on Villages, Government Regulation of the Republic of Indonesia No. 43/2015 on Law Acting Regulation No. 6/2014 on Villages, Minister of Rural Regulation for Development of Disadvantaged Areas, and Transmigration of the Republic of Indonesia No. 4/2015 on Establishment, Management and Management, and Dissolution of Village-Owned Enterprises, and Regulations with Village Chief Sina Kasih and Head of Rambung Sialang Village.

Mr. Luman Nur Hakim in his interview said that the principle of *BUMDes* "*Bersama Sei Rampah*" consists of five fundamental things that are important, namely empowerment, diversity, participatory, democratic and independent. The establishment of *BUMDes* itself is intended as an effort to accommodate all activities in the field of economy and/or public services managed by villages and/or cooperation between villages. Some of the objectives of the establishment of *BUMDes* delivered by the Director of *BUMDes* "*Bersama Sei Rampah*" are as follows:

1. Increase cooperation between villages in rural economic efforts;
2. House rural economic actors in rural areas in productive joint ventures;
3. Improve the village economy;
4. Optimizing village assets to benefit the welfare of the villagers;
5. Protect the villagers from unhealthy trade links and do not side with the villagers;
6. Increase community efforts in managing village potential;
7. Develop cooperation between villages and/or third parties;
8. Create opportunities with market networks that support the general service needs of citizens;
9. Open jobs;
10. Improve people's well-being through public services, village economic growth and equalization;
11. Develop a Long and Short Term Work Plan.

Onny Medaline, T. Riza Zarzani, Merry Agnes:  
Implementation Of Village-Owned Enterprises (BUMDes) “Bersama Sei Rampah” In Firdaus  
Village Sei Rampah District Serdang Bedagai Regency

The establishment of *BUMDes* also has the purpose specifically to conduct asset management specifically to manage village assets derived from the Village Revenue and Expenditure Budget developed and managed professionally. The establishment of *BUMDes* “*Bersama Sei Rampah*” was agreed through inter-village deliberations facilitated by the Inter-Village Cooperation Agency consisting of the Village Government, Members of the Village Deliberation Board (BPD), Village Community Institutions, other Village Institutions, and Community Leaders taking into account gender justice. The establishment of *BUMDes* “*Bersama Sei Rampah*” consists of only two villages namely Sinakasih Village and Rambung Sialang Tengah Village at the end of 2016.

**Table 1 List of Capital Investment into BUMDes with Sei Rampah Period 2016 and 2017**

No	Village Name	Date Of Submission	Year			Amount	PADes Earnings As Of Dec 31, 2017
			2016	2017	2017 (P)		
			Rp	Rp	Rp	Rp	Rp
1	Sinakasih	13/12/2016 & 16/10/2017	210.000.000	255.542.000	-	465.542.000	21.091.596
2	Rambung Sialang Tengah	12/10/2016 & 17/10/2017 & 21/12/2017	153.000.000	35.120.000	134.751.575	322.871.575	12.691.555
3	Rambung Sialang Hilir	13/10/2017 & 29/12/2017	-	300.000.000	22.235.000	322.235.000	5.637.749
4	Tanah Raja	25/10/2017	-	155.000.000	-	155.000.000	2.842.609
5	Rambung Sialang Hulu	05/11/2017 & 22/12/2017	-	202.240.000	189.941.100	391.681.000	3.630.721
6	Pematang Ganjang	29/12/2017	-	3.527.000	-	3.527.000	21.561
7	Firdaus	31/12/2017	-	25.000.000	-	25.000.000	-
<b>Total</b>			<b>363.000.000</b>	<b>976.429.000</b>	<b>346.427.675</b>	<b>1.685.856.675</b>	<b>45.915.791</b>

Source: *BUMDes* “*Bersama Sei Rampah*”

**Table 2 List of Capital Investment into BUMDes with Sei Rampah Period 2018**

No	Village Name	Date Of Submission	Year				Amount	PADes Earnings As Of Dec 31, 2018
			2016	2017	2018 (P)	2018 (P)		
			Rp	Rp	Rp	Rp	Rp	Rp
1	Sinakasih	13/12/2016 & 16/10/2017	210.000.000	255.542.000	-	-	465.542.000	45.124.680
2	Rambung Sialang Tengah	12/10/2016 & 21/12/2017	153.000.000	169.871.575	-	-	322.871.575	31.295.660
3	Rambung Sialang Hilir	29/12/2017 & 3/7/2018	-	322.235.000	100.000.000	-	422.235.000	35.272.671
4	Tanah Raja	25/10/2017 & 1/11/2018	-	155.000.000	100.000.000	-	255.000.000	16.639.500
5	Rambung Sialang Hulu	22/12/2017 & 27/12/2018	-	391.681.000	-	206.525.188	598.206.288	37.965.307
6	Pematang Ganjang	29/12/2017	-	3.527.000	-	-	3.527.000	341.869



Onny Medaline, T. Riza Zarzani, Merry Agnes:  
Implementation Of Village-Owned Enterprises (BUMDes) “Bersama Sei Rampah” In Firdaus  
Village Sei Rampah District Serdang Bedagai Regency

7	Firdaus	31/12/2017	-	25.000.000	-	-	25.000.000	2.423.228
8	Rambung Estate	16/08/2018	-	-	268.492.602	-	268.492.602	8.674.918
9	Sei Rejo	28/12/2018	-	-	-	41.000.000	41.000.000	-
<b>Total</b>			<b>363.000.000</b>	<b>1.322.856.675</b>	<b>468.492.602</b>	<b>247.525.188</b>	<b>2.401.874.465</b>	<b>177.737.833</b>

Source: BUMDes “Bersama Sei Rampah”

**Table 3 List of Capital Investment into BUMDes with Sei Rampah Period 2019**

No	Village Name	Date Of Submission	Year					Amount Rp	PADes Earnings As Of Dec 31, 2019 Rp
			2016	2017	2018	2019	2019 (P)		
			Rp	Rp	Rp	Rp	Rp		
1	Sinakasih	13/12/2016 & 16/10/2017	210.000.000	255.542.000	-	-	-	465.542.000	37.691.745
2	Rambung Sialang Tengah	12/10/2016 & 21/12/2017	153.000.000	169.871.575	-	-	-	322.871.575	25.481.869
3	Rambung Sialang Hilir	29/12/2017 & 3/7/2018	-	322.235.000	100.000.000	-	-	422.235.000	38.922.546
4	Tanah Raja	25/10/2017 & 1/11/2018 & 6/11/2019	-	155.000.000	100.000.000	50.000.000	-	305.000.000	23.506.458
5	Rambung Sialang Hulu	22/12/2017 & 27/12/2018	-	391.681.000	206.525.188	-	-	598.206.288	50.918.948
6	Pematang Ganjang	29/12/2017 & 20/8/2019	-	3.527.000	-	35.246.869	-	38.773.869	1.408.171
7	Firdaus	31/12/2017	-	25.000.000	-	-	-	25.000.000	2.304.555
8	Rambung Estate	16/08/2018 & 25/10/2019 & 23/12/2019	-	-	268.492.602	21.830.778	162.488.000	452.811.380	23.077.470
9	Sei Rejo	28/12/2018 & 26/12/2019	-	-	41.000.000	-	30.000.000	71.000.000	3.779.470
10	Silau Rakyat	28/3/2019	-	-	-	50.000.000	-	50.000.000	3.072.740
11	Sei Parit	28/3/2019 & 18/12/2019	-	-	-	50.000.000	45.000.000	95.000.000	3.073.740
<b>Total</b>			<b>363.000.000</b>	<b>1.322.856.675</b>	<b>716.071.790</b>	<b>207.077.646</b>	<b>237.488.000</b>	<b>2.846.440.112</b>	<b>213.237.107</b>

Source: BUMDes “Bersama Sei Rampah”

The establishment of *BUMDes “Bersama Sei Rampah”* consisting of two villages in 2016 received capital investment from two villages amounting to Three Hundred Sixty-Three Million Rupiah (Rp 363,000,000,-) with details of each capital investment of Sinakasih Village amounting to Two Hundred Ten Million Rupiah (Rp 100,000,000) 210,000,000,-) and Rambung Sialang Tengah Village amounted to One Hundred and Fifty-Three Million Rupiah (Rp 153,000,000,-) with the acquisition of The Village's Original Income (*PADes* dated December 31, 2017) of Thirty-Three Million Seven Hundred And Eighty-Three Thousand One Hundred and Fifty-one Rupiah (Rp 33,783,151,-). Or with the details of the acquisition of The Original Income of Sinakasih Village amounting to Twenty-One Million Ninety-One Thousand Five Hundred Ninety-Six Rupiah (Rp 21,091,596,-) and Rambung Sialang Tengah Village of Two Million Six Hundred Ninety-One Thousand Five Hundred Fifty-Five Rupiah (Rp 12,691,555,-)

The obligation to form *BUMDes* by village is not set out in the Village Law. As in the provisions of Article 87 paragraph (1) of the Village Law and in Law No. 6 of 2014 concerning Villages there is not a single article governing sanctions for villages that do not form village-owned



enterprises and there are no legal implications. The consequences for villages that do not set up village-owned enterprises are more to the economic impact of the village itself. The village can establish a village-owned enterprise if it is able and can, if it is unable and there can be no requirement for the village to form a Village Owned Enterprise as stated in Article 87 paragraph (1) of the Village Law. (Ricky Sendityan, 2016)

Feeling the need to join to help the welfare of the villagers, the Government of Firdaus Village who served at the time included his village as one of the village members registered in *BUMDes “Bersama Sei Rampah”* in 2017 which in the same year five other villages in Sei Rampah Sub-district also joined the *BUMDes “Bersama Sei Rampah”* among others, Rambun Sialang Hilir Village, Tanah Raja Village, Rambung Sialang Hulu Village, Pematang Ganjang Village, and Firdaus Village. The incorporated several villages added to the list of participating villages and began to realize the importance of *BUMDes* for villages and villagers.

Additional villages registered with *BUMDes “Bersama Sei Rampah”* also occur every year. In 2018, the number of villages incorporated in *BUMDes “Bersama Sei Rampah”* increased to nine villages. The addition of two other villages is Rambung Estate Village and Sei Rejo Village. The increase in the number of villages incorporated in *BUMDes “Bersama Sei Rampah”* also occurred the following year. Silau Rakyat Village and Sei Parit Village are two villages that join *BUMDes “Bersama Sei Rampah”*. Thus, the number of villages that joined *BUMDes “Bersama Sei Rampah”* numbered eleven villages. In mid-2020, the Government of Firdaus Estate Village conveyed to Mr. Director of *BUMDes “Bersama Sei Rampah”* about his village's interest and his village plan to join. This was conveyed by him in an interview about the development of *BUMDes*.

Firdaus village in this case the Government of Firdaus Village represented by Mr. Jamhudi as the Head of Firdaus Village Sei Rampah District Serdang Bedagai regency who in the interview said that the previous Firdaus Village Government before him considered that for the early stages of Firdaus Village ventured to join *BUMDes “Bersama Sei Rampah”* as a form of learning and solutions. As an initial form of cooperation the Firdaus Village Government gave capital investment to *BUMDes “Bersama Sei Rampah”* amounting to Twenty-Five Million Rupiah (Rp 25,000,000,-) at the end of the year precisely on December 31, 2017.

The decision taken by the Firdaus Village Government to join *BUMDes “Bersama Sei Rampah”* was the right decision. This is reflected in the acquisition of Village Original Income sourced from *BUMDes*. In 2018 Firdaus Village which received Two Million Four Hundred Twenty-Three Thousand Two Hundred Twenty-Eight (Rp 2,423,228,-) which was on a joint agreement with the management of *BUMDes “Bersama Sei Rampah”* which in this case was represented by the Director of *BUMDes*, that the acquisition was divided in two with the operations of *BUMDes*. In the following year in 2019, Firdaus Village again received the acquisition of the original village income of two million three hundred and four thousand five hundred and fifty-five rupiah (Rp 2,304,555,-) which was further divided into two for the operation of *BUMDes*.

## 5. Conclusion

In this study it can be concluded that the joining of Firdaus Village into *BUMDes “Bersama Sei Rampah”* is the right decision, although it is not conveyed in the Village Law regarding the

obligation to form *BUMDes* by the Government of Village. But the fact is that the implementation of *BUMDes* has gone quite well which is illustrated by the development of *BUMDes* from year to year and in line with the awareness of the villagers in utilizing the existence of *BUMDes*. This can be seen from the results of *BUMDes* which every year continues to increase which leads to an increase in the results of The Original Village Income (*PADesa*).

## 6. References

- The National Education Department's Center for The Study of Development System Dynamics (PKDSP). 2007. *Buku Panduan Pendirian dan Pengelolaan Badan Usaha Milik Desa (BUMDes)*. Jakarta: Fakultas Ekonomi Universitas Brawijaya, p. 3
- Ridlwan, Zulkarnain, *Payung Hukum Pembentukan BUMDes*, Fiat Justitia Jurnal Ilmu Hukum Volume 7 No. 3, 2013, Fakultas Hukum, Universitas Lempung, Lampung, p. 356
- Amelia Sri Kusuma Dewi, *Peranan Badan Usaha Milik Desa (BUMDes) Sebagai Upaya dalam Meningkatkan Pendapatan Asli Desa (PADes) serta Menumbuhkan Perekonomian Desa*, Journal of Rural and Development, Volume 5 Nomor 1 Tahun 2014, p. 2.
- Hari Fitrianto, *Revitalisasi Kelembagaan BUMDes Dalam Upaya Meningkatkan Kemandirian dan Ketahanan Desa di Jawa Timur*, Jejaring Administrasi Publik, Volume 8 Nomor 2 Tahun 2016, p. 922
- Maria Rosa Ratna Sri Anggraeni, *Peranan Badan Usaha Milik Desa (BUMDes) Pada Kesejahteraan Masyarakat Pedesaan Studi Pada BUMDes Di Gunung Kidul*, Yogyakarta, Jurnal Modus Volume 28 Nomor 2 Tahun 2016, p. 165.
- HAW. Widjaja, *Otonomi Desa Merupakan Otonomi Yang Asli, Bulat dan Utuh*, PT. Raja Grafindo Persada, Jakarta, 2003, p. 26.
- Amirudin & Zainal Asikin, *Pengantar Metode Penelitian Hukum*, Rajawali Pers, Jakarta, 2014, p. 25-26.
- Fajar Sidik, *Menggal Potensi Lokal Mewujudkan Kemandirian Desa*, Yogyakarta: Jurnal Kebijakan dan Administrasi Publik, Volume 19 Nomor 2 Tahun 2015, p.116.
- Daftar Penyertaan Modal ke *BUMDes "Bersama Sei Rampah"* Periode Tahun 2016-2017 yang disampaikan dalam wawancara oleh Bapak Lukman Nur Hakim selaku Direktur *BUMDes "Bersama Sei Rampah"* pada hari Kamis Tanggal 6 Agustus 2020 dengan ditampilkannya Tabel Daftar Penyertaan Modal.
- Ricky Sendityan, *Politik Hukum Pengaturan Badan Usaha Milik Desa dalam Undang-Undang Nomor 6 Tahun 2014 Tentang Desa*, Yogyakarta: Universitas Islam Indonesia, 2016, p. 1



*Onny Medaline, T. Riza Zarzani, Merry Agnes:  
Implementation Of Village-Owned Enterprises (BUMDes) “Bersama Sei Rampah” In Firdaus  
Village Sei Rampah District Serdang Bedagai Regency*

Hasil wawancara dengan Bapak Jamhudi Kepala Desa Firdaus Kecamatan Sei Rampah pada hari Kamis Tanggal 6 Agustus 2020 divalidasi dengan data yang terdapat pada Daftar Penyertaan Modal ke *BUMDes “Bersama Sei Rampah”* Periode Tahun 2016-2017 yang selanjutnya dijelaskan lebih lanjut oleh Bapak Lukman Nur Hakim selaku Direktur *BUMDes “Bersama Sei Rampah”*

