



Optimizing the Utilization of Village Land in Maintaining the Sustainability of Melikan Village Government

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Abstract

Melikan is one of the best pottery producing villages. The ability to make pottery has been owned for generations and even had before prehistoric times. As a raw material in the manufacture of pottery, clay is the main element. So far, clay has been taken from crooked soil which is the right of village officials without any compensation to village officials. As a result, village officials did not benefit from the crooked land and there was natural damage that threatened the safety of villagers because of the puddles of former excavated soil. Through a qualitative research approach and supported by information from competent resource persons ranging from the Village Head, Village Consultative Board, Village Secretary, Village Apparatus, community leaders, youth leaders and religious leaders, it was obtained that there was a common desire to find a win-win solution. The win-win solution in question is that village officials get the right to get additional income and craftsmen get quality soil raw materials.

Keywords: Optimization; Village Land; Pottery.

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Introduction

A land is a valuable object that all living things, including humans, need. Human beings come from the land. It fulfills all kinds of life necessities. It is also the land where humans will end up. Sinaga and Supsiloni stated that land has two main functions; production and non-production. The production functions mean that a land is an object of economic value. Meanwhile, the non-production functions show that land has a religious and magical meaning (Sinaga & Supsiloni, 2016).

Specifically, land has some specific values. They are economic, philosophical, political, social, cultural, and ecological values. Therefore, many parties are very interested in possessing the land. Their interests in land often trigger conflicts. Even the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency, Sofyan Djalil, explained that there are still thousands of cases of land conflicts in Indonesia.

The high occurrence of land conflicts in Indonesia was conveyed at the opening of the Infrastructure Outlook 2022 broadcast by CNBC Indonesia on Thursday (24/2/2022). The Minister of Land and Spatial Planning said that 90 million parcels of disputed lands had been registered, while there were about 8,000 conflicted cases. Of course, it was still very high, but statistically, it was small compared to those registered.

Land conflicts potentially trigger various social problems if they are not resolved immediately. The complexity in solving land problems is sometimes caused by the imbalance of control structure, ownership, use, and utilization of land for certain economic activities (Riswanda, 2017).

Land conflicts are not only directly related to ownership status but also influence environmental sustainability. The delay in the completion of land ownership status will result in the disruption of environmental sustainability. Floating land status (unclear ownership) affects productivity and land management. The land with floating ownership status will suffer from lower productivity levels. For this reason, the disputed land must be resolved as soon as possible to prevent more severe problems.

Abandonment of land will also attract other parties who want to take advantage. In an extreme case, if the land status is unclear/floating (status quo), it will cause massive exploitation. For this reason, it is necessary to regulate and clarify the best use of the land. Therefore, the land can be utilized well and does not cause environmental damage and social loss (conflicts) for the surrounding community.

Land problems do not only occur within the scope of the state but also at the village level. Many land conflicts occur in villages in Indonesia. The conflicts may start from individual interests against residents, and companies, to conflicts between residents and the government (village). Those conflicts will cause social problems that are difficult to resolve because both parties want to "win the competition". This can be an obstacle to realizing a prosperous society (Soetomo, 2013).

Law Number 6 of 2014 concerning Villages, in particular Article 76 paragraph (1), regulates Village Assets in the form of Village treasury land, communal land, village market, animal market, boat moorings, village buildings, fish auctions, agricultural products auctions, village-owned forests, village-owned springs, public baths, and others.

To prevent the village assets not to be transferred to individual parties, they (especially those in the form of land) must be certified. The certification must be in the name of the village. It is regulated in Article 76 paragraph (4) that Village property in the form of land is certified in the name of the Village Government. Based on the definition contained in the Regulation of the Minister of Home Affairs, Village Land is the land controlled or owned by the Village Government as a source of original income spent for social purposes (Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 1 of 2016 concerning Village Asset Management).

The village land has been regulated by Law Number 6 of 2014 concerning Villages. It is also described in the Decree of Minister of Domestic Affairs Number 1 of 2016 concerning Management of Village Assets, regulated in more detail through Klaten Regent Regulation Number 5 of 2018 concerning List of Village Authorities based on Origin Rights and Village-Scale Local Authorities in Klaten Regency.

Although several rules related to Village Assets have been already issued, the management of village assets, especially land, is still not free from conflicts. There is a land conflict that occurs in Melikan village, Wedi sub-district, Klaten regency of Central Java. It has been going on for a dozen years. The land conflict occurs between the Village Government and land miners who intend to sell the land to pottery craftsmen.

The miners take the land as raw material for making pottery. Besides the soil content that is fit with what the pottery craftsmen need, the status of the village land has also become the reason why the miners take such actions. They seem to have received permission from the village government from the old village head in 2010.

Based on observations made by the research team, there are several facts recorded, such as; (1) The Melikan village government has tried to communicate with the miners related to the plan for the use of village land, but the miners have not/have not received the regulation plan, (2) The current commitment built by the village head is not going well and is only valid for 3 (three) months after the agreement between the Miners and the Village Head, and (3) The village government does not get direct incentives from mining activities that occur on village treasury land (no retribution yet).

From some research problems mentioned above, this research will explore and describe how the village land should be utilized based on local people's expectations, especially the miners and pottery craftsmen as well as village apparatus.

This is important to study considering that the availability of land which is the raw material for making pottery in Melikan will soon run out. Radar Solo informed us that the raw material (clay) for making pottery will run out in 2026. On the other hand, the pottery crafts in Melikan have become an integral part of and cultural wealth of the local community.

Research Method

This is qualitative research supported by an exploratory approach. Explorative research, according to Siyono and Sodik, has three main objectives, namely: (a) satisfying initial curiosity and later wanting to understand more; (b) testing feasibility in conducting more in-depth research in the future, and; (c) developing methods that will be used in further research(Siyoto & Sodik, 2015). The objectives are in line with the purpose of this research, namely to find out how the Melikan village government's efforts in optimizing the village treasury land meet the expectations and demands of the community.

The informants are selected based on certain criteria using purposive sampling. The selected parties include the Village Head, Village Secretary, Head of Affairs and Section, Miners, Craftsmen, Youth Leaders, and Community Leaders. All of them have a direct interest in the village treasury land. To verify the information and data obtained from the informants, there is a Focus Group Discussion (FGD). FGD is a structured data collection process in the form of a group that aims to obtain detailed information about specific topics, products, or problems (Khoiri, 2005)

Results & Discussion

Existing Condition of Village Land Utilization

Melikan village is located in the Wedi sub-district, of Klaten regency. It covers an area of 167, 6280 Ha. The area is divided into then and fifteen hamlets (RW) and 36 neighborhoods (RT). It also covers a land area of 89,612 ha. The village land is allocated to the Village Treasury and Government Land.

The following table shows the allocation of Village Treasury and Government in Melikan village:

**Table 1
Treasury Land**

No	Utilization	Broad (Hectares)	information
1	Paddy	2.6435	Agriculture
2	Dry soil	10.4615	fields, village offices, school buildings

Source: Melikan Village Mid-term Development Plan 2019-2025

**Table 1
'Tanah Bengkok' and Its Distribution**

No	Utilization	Broad (Hectares)
1	Rights of the Village Head	5.5150
2	Rights of the Village Secretary	0.1600
3	Rights of the Head of Government Affairs	0.1630
4	Rights of the Head of Development Affairs	1.5250
5	Rights of the Head of General Affairs	0.7350
6	Rights of Hamlet Heads I	1.5225
7	Rights of Hamlet Heads II	0.6850

Source: Melikan Village Mid-term Development Plan 2019-2025

Table 1 shows that the Village Treasury Land is managed by the Village Government. It covers an area of 13 ha with an allocation of 10.4615 spent for public purposes such as fields, graves, and schools, while the rest (2 ha0) is used for rice fields.

Meanwhile, the government land is shown in Table 2. It is distributed or loaned to village officials, and it is commonly called "tanah bengkok."

Tanah bengkok is the village land designated for the village head and apparatus as compensation for their positions and duties. Because it belongs to the village, if the village head and apparatus are no longer in office, it will be handed back to the new leader and officials who replace them (Prasetyo, 2018).

The existence of this tanah bengkok is also recognized and is in line with the Regulation of Klaten Regent Number 5 of 2018 concerning the List of Village Authorities Based on Origin Rights and Village-Scale Local Authorities. It is stated in Article 4 paragraph (1) that the village authorities (based on the rights of origins), at least consist of: (a) Village community organization system; (b) Village treasury land management; (c) Management of village land or village-owned land using local designations; (d) Treasury land management; and (e) Yard land management.

Furthermore, Prasetyo grouped various forms of tanah bengkok. It can be in the form of rice fields, dry land, or fish ponds (Pramusinto et al., 2021; Sari et al., n.d.)

Based on the Melikan Village Medium-Term Development Plan document for 2019-2025 (Melikan 2019), the distribution of village land allocated is shown in the graph below:

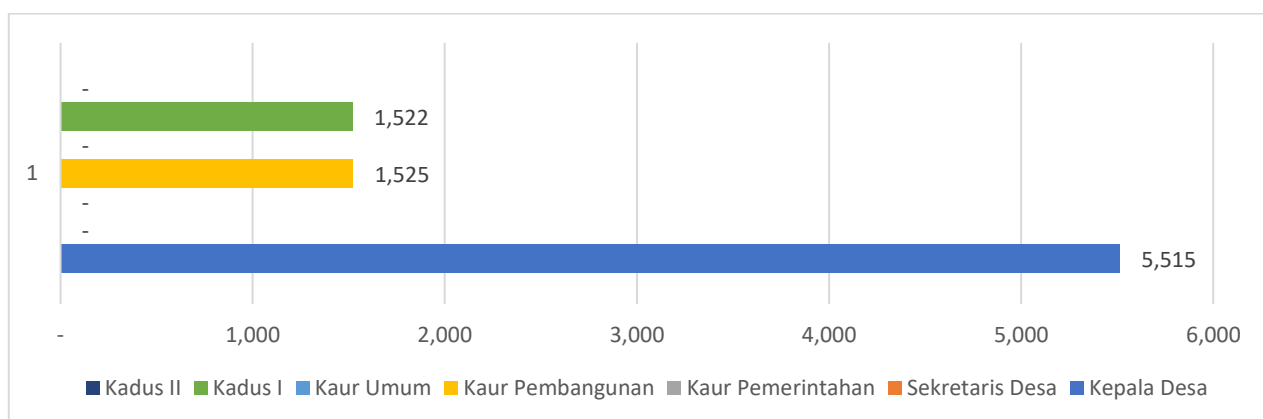


Figure 1. Distribution of Tanah Bengkok (ha)

Source: processed data, 2022

From the graph above, the village land distributed to the village head and apparatus has the following composition: (1) The village head has the right to manage a land area of 5,515 ha, (2) The head of development affairs has the right to manage a land area of 1.5 25 ha, (3) The head of hamlet I have the right to manage the land of 1,522 ha, (4) The village secretary, head of general affairs, head of government affairs, and head of hamlet II are entitled to the management of the land area of less than 1 ha.

The distribution of the village land has been adjusted to the responsibilities and duties of each official. The village head gets the most extensive area because he has greater responsibilities than other officials. The village secretary gets land of less than 1 ha due to his status as a Civil Servant (PNS).

During this research, the land that had been allocated for the village apparatus was utilized by residents, especially pottery craftsmen through land miners. The use of this land is not accompanied by compensation to the village and land owner (Village Head and village officials).

The use of village land by the miners has not provided any benefit to the village apparatus that has the right to manage the land. The Head of Hamlet I, Jaka Purwana, said:

"Yes, at this time there is no profit, and we take it for free, but there is still no expected result" (FGD, Tuesday, March 22, 2022)

Next, he said that the mining activities every day could reach 10 Viars (three-wheeled motorbikes equipped with carts).

"It can be up to 10 Viars, while those having the land get extremely confused. The village head, heads of hamlets, and village secretary are in charge of managing the land. We have talked with our colleagues if it is against the rules if we take treasury land and don't give any retribution because some people believe it is against the law and can get punished."

The mining activities that take place in the village land have been passed down for generations. According to Widodo (a miner), his father was already doing such things when he was born. He said in an in-depth interview on Saturday, June 04, 2022:

"I wasn't born yet, you know, it's been running since a long time ago until now."

However, the village land was initially collected and handed over to the village head in the amount of Rp. 1,500 per cart. Meanwhile, the selling price of the land to craftsmen is Rp. 7,500. Widodo stated his thought on the same occasion:

"What I know is that Mr. Bambang sells one cart for Rp. 1,500, then sells to the craftsman for Rp. 7,500."

Community Participation in Village Land Utilization

The village government land (tanah bengkok) in the Melikan village is not utilized by the village head and officials, but by pottery craftsmen through the miners. The use of this land for pottery craftsmanship does not provide compensation for the village apparatus. The land is utilized using this pattern (no compensation at all). It has been going on for decades (since 2010).

Referring to the research conducted by Ningrum, et., al in Tampir Wetan village of Magelang regency, the land is used for public purposes. The land utilization with profit-sharing patterns is called "paron" in Javanese (Ningrum et al., 2017). Paron or profit sharing is considered an effort to influence and improve services to the community.

The treasury land in Melikan village has been mined or taken by the miners since 2006. The craftsmen then buy the mining land. The selling of the treasury land to the craftsmen was allegedly the village head's commitment to compensation for the 2006 earthquake that took many lives. Many victims due to the earthquake caused some people to lose their homes, jobs, and even family members. As a form of government attention, training aims to improve the ability of pottery craftsmen and teach how to make good pottery for people who are interested but not yet produce pottery.

To support the government's policy, the previous village head of Melikan invited the people to take and use the village treasury land and tanah bengkok as raw materials for making pottery. This activity continues, and even people utilize other uncultivated lands. However, they do not ask for the permission of the new village apparatus. The miners also do not provide any "reward" for them.

Thus, the participation of the community, especially the miners, is passive and tends to become a "parasite" that harms the village apparatus as the party that should benefit from the village land they manage.

Orientation of Miners, Craftsmen, and Community Leaders

Currently, the village land in Melikan has not provided many benefits, especially for the village government, officials, and local people. There are 7 (seven) Miners and 261 Craftsmen who are currently utilizing the village land to earn personal profits.

Not all pottery craftsmen in Melikan use village land. Some are reluctant to do such a thing. It is due to an assumption that the land is not clearly "halal." It is considered not to have a clear halal status because there is no "ijab qabul" or agreement between the miners and the village government or apparatus in taking over the land. Even some craftsmen who were reluctant to use the village land received information that the village apparatus as the ruler of the village land was not willing to take their land.

Controlling the extraction of the village land and preventing natural or environmental damages require good village land management. The village head has initiated the village land management by taking a levy on the miners. The miners may not increase the selling prices of the land to pottery craftsmen. The village head's desire to collect a levy from the village land mining is an attempt to legalize the use of village land. This is also revealed in the FGD on Tuesday, March 22, 2022. The Head of Hamlet I (Jaka Purwanta) said that:

"We had a conversation with our colleagues. We asked if it is against the rules if we take treasury land and give retribution because some people accept it as a violation of the rule."

The answers of the Head of Hamlet 1 imply concerns from the miners over the use of tanah bengkok. These concerns are closely related to the legal status of the land they take.

The Village Consultative Body (BPD) does expect the legalization of the village treasury land as raw materials for making pottery. Sunarto, the Head of BPD of Melikan village, said that it was necessary to initiate the village government in formulating the legality of the use of the village land. There have been some efforts made by village officials. They have tried various ways, such as visiting the Regency to the Central Java Provincial Government. They have even invited members of the House of Representatives (DPR-RI) to ask for the best solutions to this land issue in Melikan. This was revealed in the FGD;

"I would like to add information related to this issue of craftsmen and raw materials. From the old to the current village head, this issue has not been resolved. The village secretary said he had conveyed it to the provincial government and even the central government, but nothing has come to light. The main raw materials are taken from the land that belongs to the village head and village secretary. In the next few years, we will experience raw material difficulties because there is an increasing number of craftsmen."

The increasing number of craftsmen and various handicrafts will depend on the availability of land as the raw material. It is necessary to implement the best policies accepted by all parties to preserve the cultural wealth in Melikan and fulfill the rights of village officials and the government.

1) Orientation of Village Apparatus and Government in Maintaining Government Continuity

There must be a win-win solution between the Village Apparatus, Village Government, Miners, and Pottery Craftsmen to optimize the use of village treasury land. For this reason, there have been innovative efforts from the Melikan Village Government. The Melikan Village Government has established a Village-Owned Enterprise through Village Regulation Number 2 of 2020 concerning Village Owned Enterprises (BUMDes). Not only establishing BUMDes, but the Village Government has also ratified the BUMDes management called "Sedya Karya" through Village Head Decree Number 11 of 2020 concerning the Establishment of Village Owned Enterprises (BUMDes) of "SEDYA KARYA."

The BUMDes must involve in the village land management. As a formal institution established by the Village Government for improving the people's economic conditions and as a contributor to Village Original Income (PADesa), the BUMDes must be encouraged to take over the village land management and maintain the sustainability of local culture in making pottery crafts.

The authority to establish a Village-Owned Enterprise is in line with Law Number 6 of 2014, especially in Article 54 of paragraph 1 that the Village Consultative is a deliberation forum consisting of the Village Consultative Body, Village Government, and elements of the village community to discuss all strategic matters in the administration of Village Government. Furthermore, strategic matters are explained in paragraph (2). They include a. Village governance; b. Village planning; c. Village cooperation; d. village investment plans; e. establishment of BUMDes; f. addition and disposal of Village Assets; and extraordinary events.

Concerning the authority to establish the BUMDes, the Melikan Village Government has established the BUMDes through the Village Regulation number 02 of 2020 concerning the Establishment and Management of Melikan Village-Owned Enterprises (BUMDes). Meanwhile, the BUMDes aims to utilize the village's potential and improve the community's economic welfare (February et al., 2023; Sulistyowati et al., 2021; Triyanto Purnomo Raharjo et al., 2023).

There must be extra efforts of the BUMDes management following the village's potential. Entrepreneurship of BUMDes means providing better-added values for the community (Karuniyati et al., 2021).

The delegation of authority to BUMDes in managing village land should be a stimulant in the effort to develop BUMDes "Sedya Karya." "Sedya Karya" is a village-scale business entity based on Village Regulation 02 of 2020 concerning the Establishment and Management of Business Entities Owned by the Melikan Village, Wedi sub-district of Klaten Regency. After the establishment of BUMDes, the Village Head has also Formed BUMDes Management through Village Head Decree Number 11 of 2020 concerning the Establishment of Village Owned Enterprises (BUMDes) "Sedya Karya."

There are several business units of Sedya Karya BUMDes, such as Viar transportation rental (Tricycle Motorcycle), Grocery Sales, and tent rental. It also has some Viar (three-wheeled motorbikes with carts) units. This business is still running even though it cannot provide maximum profit sharing. Meanwhile, grocery sales have been closed since the Covid-19 pandemic hit the nation.

The BUMDes of Sedya Karya should not only rent out transportation equipment to transport soil as raw material for making pottery, but it must also provide land ready for pottery making. The role of a provider of ready-made soil (clay) for the manufacture of pottery is highly expected by the craftsmen so that they can focus only more on producing quality pottery. The soil taken from the village treasury land is processed by mixing some other materials to be clay. This mixing process requires a lot of energy, so if the BUMDes can provide the land to be processed, it will certainly increase the selling values.

The support from the craftsmen for the role of BUMDes was revealed in an in-depth interview on Saturday, June 4, 2022:

"We are willing to buy at a higher price if the land is ready for use."

The delegation of authority to manage village treasury land to BUMDes will also open up opportunities for job creation. Some parts must be done by several people, such as processing the soil into clay and delivering it to the craftsmen.

If the clay as raw material for pottery crafts is running low, the BUMDes Sedyas should cooperate with other BUMDes to guarantee its availability. The establishment of joint BUMDes aims to increase community and village income through business development (Yansyah et al., 2021).

Besides, the excavated/mining land is quite large and can be utilized as a fishing pond or water tourism. Such an idea can realize Melikan into a tourism village.

It means there must be a concrete and precise design or physical layout of the village for the pottery production area. The area must be separated from the people's houses. The storefront is close to the car park, thereby reducing latent conflicts with the residents regarding the use of narrow roads. There is also adequate sanitation facilitated by the village government by renting it out as a place of production. The village land is spent as a large pool for recreation for visitors outside of the village.

Conclusions

There should be additional efforts based on the data and information found during the research related to land optimization of Melikan Village. They include: 1. Legalization of the use of village land by the miners to provide legal certainty for the land; 2. Making a business plan for the village land by optimizing other untouched parts to make them more useful; 3. Village land is given to and managed by the Village-Owned Enterprises as one of the business units; 4. Making a master plan for the use of village treasury land for the common good among the Craftsmen, Miners and for the sustainability of the Melikan Village Government.

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