



Dualism in the Supervisory Function of State Institutions;

Juridical Analysis of the Authority of the Fertilizer and Pesticide Development Commission to Supervise Distribution Subsidized Fertilizer for Farmers

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Abstract: This research describes the fertilizer problem in Indonesia and the existence of the Fertilizer and Pesticide Monitoring Commission, this institution was formed which in reality does not solve problems in the agricultural sector. This research is legal research that analyzes the authority of the Fertilizer and Pesticide Monitoring Commission from the perspective of State Administrative Law with a conceptual and statutory approach. The results of this research are: first, the ideal function of KP3 is preventive and repressive supervision. secondly, the supervision carried out by KP3 is only preventive supervision, and even then in the executive area there is overlap between state government organizations.

Keywords: supervision; government organization; authority

1. Introduction

The fertilizer problem in Indonesia has always been a problem, government programs and policies regarding subsidized fertilizer are still controversial and problematic in the implementation process. If fertilizer becomes scarce and expensive, farmers will be the main victims. Therefore, the Indonesian Government initiated the idea of establishing a Fertilizer and Pesticide Monitoring Commission (KP3), and the policy of subsidized fertilizer for farmers was continued from year to year. After the formation of this institution, several problems related to fertilizer still occur, among the problems are the scarcity of fertilizer, (especially during the planting season) allocation that is not on target, the availability of types of fertilizer, and poor data collection, there are parties who buy and sell subsidized fertilizer at low prices. high or past high retail prices.

The fertilizer subsidy policy in Indonesia has been in place since 1969/1970. The aim of government policy is to improve the performance of the agricultural sector, especially the food crop subsector. However, this policy, which has been in place for more than 50 years, is in fact ineffective and has even caused losses for the state and farmers. Several study results

in many places found problems including mixing subsidized and non-subsidized fertilizers.¹ The spread of rumors or hoaxes about the scarcity of subsidized fertilizer has resulted in the price becoming expensive and some individuals hoarding and changing the packaging of subsidized fertilizer to non-subsidized.²

Apart from that, misdirection of the distribution of subsidized fertilizer also occurs because subsidized fertilizer is not on So that cheating and fraud do not occur, the government has one important function, namely organizing its government system with supervisory management that assesses activities or controls the process of achieving organizational goals, because an activity will be created well only because there is effective supervision to achieve goals. expected, "Controlling" is often translated as controlling, including the meaning of plans and norms that are based on managerial aims and objectives, where these norms can be in the form of quotas, targets or guidelines for measuring real work results against those who set.³ With supervision in management, organizational operations can run smoothly or without obstacles. On the other hand, supervision will encourage officers to be more responsible for the work they are assigned. According to Mc Farland "...Control is the process by which an executive gets the performance of his subordinates to correspond as closely as possible to chosen plans, orders, objectives, or policies..".⁴

So that cheating and fraud do not occur, the government has one important function, namely organizing its government system with supervisory management that assesses activities or controls the process of achieving organizational goals, because an activity will be created well only because there is effective supervision to achieve goals. expected, "Controlling" is often translated as controlling, including the meaning of plans and norms that are based on managerial aims and objectives, where these norms can be in the form of quotas, targets or guidelines for measuring real work results against those who set. With supervision in management, organizational operations can run smoothly or without obstacles. On the other hand, supervision will encourage officers to be more responsible for the work they are assigned. According to Mc Farland "...Control is the process by which an executive gets the performance of his subordinates to correspond as closely as possible to chosen plans, orders, objectives, or policies.... meaning: "...Supervision is a the process by which the leader wants to know whether the results of the work carried out by his subordinates are in accordance with the plans, orders, goals or policies that have been determined...".

The organ formed to carry out controlling functions as well as coordinating related agencies regarding the supervision of fertilizers and pesticides is the Fertilizer and Pesticide Supervisory Commission (KP3) which was formed by the governor at the provincial level, and at the district/city level was formed by the regent/mayor, due to the use of fertilizers. costs, and these costs are allocated to farmers in the production process. The government through KP3 intends to supervise the implementation of government activities. On the other hand, the government must help farmers with the costs of fertilizer to encourage increased production of agricultural products, because fertilizer has a very important role in increasing

¹ Kasiami, "Hambatan-Hambatan Dalam Penyaluran Pupuk Bersubsidi Melalui Kartu Tani Di Kabupaten Bojonegoro.", JIAN – Jurnal Ilmiah Administrasi Negara, Vol. 4 No. 1 2020., p. 29.

² PATTIRO-USAID, *Peta Masalah Pupuk Bersubsidi Di Indonesia*. Jakarta, Pusat Telaah dan Informasi Regional (PATTIRO) bekerjasama United State Agency for International Development (USAID), 2011., p. 40-41.

³ Suwantojo, *Korupsi, Pola Kegiatan Dan Penindakannya Serta Peran Pengawasan Dalam Penanggulangannya*. Jakarta, Restu Agung, 1995., p. 131-133.

⁴ Handayaningrat, *Pengantar Studi Ilmu Administrasi Dan Manajemen*. Jakarta, CV. Haji Masagung, 1994., p. 143.

productivity and production of agricultural commodities to realize the national food security program. Therefore, the government feels the need to subsidize fertilizer. The government currently provides fertilizer subsidies to the fertilizer industry as an effort by the government to ensure the availability of fertilizer for farmers at prices set by the government. Apart from the fertilizer subsidy facility, to ensure smooth supply and procurement of fertilizer so that it can be absorbed on time, the government is also implementing other deregulation which is no less important.

The Directorate General of Agricultural Infrastructure and Facilities in the guidelines for improving the implementation of KP3 tasks and empowering PPNS in 2014, namely the fertilizer and pesticide monitoring mechanism involving the active participation of central and regional government agencies in a coordinated manner within the fertilizer and pesticide supervisory commission considering that fertilizers and pesticides are a means production which is very decisive in achieving production targets.

The agricultural sector is a development sector that has a strategic role,⁵ the existence of the agricultural sector is important for the people's food availability to meet basic needs. Food is a basic need for humans to be able to maintain life and therefore adequate food for everyone at all times is a human right that must be fulfilled. The problem of meeting the food needs of the entire population in a region is the main target for the government.⁶ Indonesia, as an agricultural country with a very large population, faces very complex challenges in meeting the population's food needs, so that the problem of food security has become a central issue in development, especially in agricultural development.⁷

The fact that the Indonesian government realizes that it is not just an environmental problem,⁸ The fertilizer problem in Indonesia has always been an issue that touches directly on the needs and sustainability of farmers in cultivating land.⁹ When fertilizer is found to be scarce and expensive, farmers will be the main victims. The Indonesian government issued a fertilizer subsidy policy for farmers, as one of the priorities in developing government policy in order to increase food security, which is realized in the form of fertilizer subsidies, fertilizer subsidies are aimed at increasing farmers' purchasing power for fertilizer in order to increase production. Fertilizers are chemicals or organisms that play a role in providing various nutrients for plant needs, either directly or indirectly.¹⁰ for example, some of the fertilizer subsidy problems that occur in Bone district include fertilizer shortages, (especially during the planting season) allocations that are not on target so that crop productivity decreases, availability of types of fertilizer, and poor data collection so that there are still farmers who do not have a fertilizer quota. subsidized, there are parties other than producers,

⁵ Kusumaningrum, "Pemanfaatan Sektor Pertanian Sebagai Penunjang Pertumbuhan Perekonomian Indonesia." *Jurnal Transaksi* Vol. 11 No. 1 2019., p. 81-83.

⁶ Szabo, "Sociological Aspects of Suicide." *International Journal of Management*, Vol. 11 No. 3 2020., p. 7.

⁷ Pambudi, "Overview and Evaluation of the Indonesia's Water Resources Management Policies for Food Security." *Indonesia Journal of Applied Environmental Studies* Vol. 2 No. 2 2021., p. 3.

⁸ Kinseng et al., "Unraveling Disputes between Indonesia and the European Union on Indonesian Palm Oil: From Environmental Issues to National Dignity." *Sustainability: Science, Practice and Policy*, Vol. 19 No. 1 2023., p. 7.

⁹ Ragimun, "Strategi Penyaluran Pupuk Bersubsidi Di Indonesia." *Jurnal Ilmiah M-Progress* Vol. 10 No. 1 2020., p. 78-79.

¹⁰ Ramlayana, "Efektifitas Program Penyaluran Pupuk Bersubsidi Bagi Para Petani Padi Di Desa Langi Kecamatan Bontocani Kabupaten Bone." *Skripsi, Universitas Muhammadiyah Makassar*, 2020., p. 12.

distributors and retailers who buy and sell subsidized fertilizer at high prices or above high retail prices.

There is a fertilizer mafia, which carries out fraudulent practices carried out by mafia syndicates in a structured manner. The various problems mentioned previously would not occur if KPPP's role as a fertilizer supervisory institution could run optimally as explained in the Law of the Minister of Trade Number 15/M-DAG/PER/4/2013 which has the authority to supervise the procurement and distribution of subsidized fertilizers. in the agricultural sector at the district level, namely the fertilizer and pesticide supervisory commission.

The implementation of a policy is basically broad for the actors implementing the policy. Regarding implementation instruments, there are two approaches, namely the command control approach and the approach using economic incentives. The control approach relies on bureaucratic mechanisms involving the application of rather coercive mechanisms, for example implementing certain standards, strict inspections from bureaucratic officials and threatening certain sanctions for violators who fail to comply. related legal regulations. Meanwhile, the economically intensive approach or based on market forces, on the other hand, is more flexible, involving the use of taxes, subsidies or providing certain rewards or other forms of punishment to encourage private parties/individuals to comply with applicable laws.¹¹ If these two approaches are implemented in policy implementation, it could reduce problems in the procurement and distribution of subsidized fertilizer to farmers, and the role of KP3 as a fertilizer monitoring institution is also needed so that it can run optimally.

Based on the explanation above, as a background to the problem, the researcher is interested in raising the title, namely: "Dualism in the Supervisory Function of State Institutions; Juridical Analysis of the Authority of the Fertilizer and Pesticide Supervisory Commission to Supervise the Distribution of Subsidized Fertilizer for Farmers."

The description above shows that the problems that arise in the reality of the supervision system for the distribution of subsidized fertilizers for farmers in Indonesia are supposed to be the responsibility of the state administrators who are given the authority to do so, namely the Fertilizer and Pesticide Supervisory Commission (KP3). In this regard, the problem in this research is formulated: First, what is the monitoring system for the distribution of subsidized fertilizer for farmers in Indonesia?; Second, what is the authority of the Fertilizer and Pesticide Supervisory Commission in Indonesia?

2. Method

This research is legal research that seeks to qualitatively describe the ideal supervisory authority possessed by the Fertilizer and Pesticide Supervisory Commission (KP3) with a State Constitutional/Administrative Law perspective. This perspective is used to analyze the problems of supervisory authority by the Fertilizer and Pesticide Commission with a conceptual and approach.

¹¹ Wahab, *Analisis Kebijakan: Dari Formulasi Ke Penyusunan Model- Model Implementasi Kebijakan Publik*. Jakarta, Bumi Aksara, 2017., p. 149.

3. Results and Discussion

3.1 Constitution and Legal Protection for Farmers

The Constitution in Article 27 paragraph (2) states that "Every citizen has the right to work and a living that is worthy of humanity, then Article 28A states that "everyone has the right to live, defend his life and living", then Article 28H paragraph (2) that "everyone has the right to receive special facilities and treatment to obtain the same opportunities and benefits in order to achieve equality and justice, and Article 28I paragraph (4) that "Protection, promotion, enforcement and fulfillment of human rights is the responsibility of the state , especially the government.

The articles above explain that a farmer is a human being and also a citizen who deserves to be protected. Therefore, state government organizations were formed to provide protection and welfare for farmers, which in fact provides great benefits for the life of the nation and state. Because no one wants to be born as a farmer and moreover, farming is considered an unprofitable profession and requires energy and hard work to carry out work under the hot sun during the summer and in the rain during the rainy season. When this research was carried out, this statement was made by several farmers.

The government then paid attention to agricultural problems by establishing a policy to help farmers by providing fertilizer subsidies, but this policy was considered far from being a fire, meaning that what farmers hoped for did not match expectations. There are several problems faced by farmers today, including:

1) Facilities and infrastructure for farmers and farmer groups

Facilities are an important factor in implementing government policies, both the construction of good facilities and infrastructure play a very important role in achieving the goals of a program or activity in order to achieve the expected results. Based on the results of interviews for certain regions or regions, researchers found that the distribution of subsidized fertilizer, starting from the transportation of subsidized fertilizer by distributors to official retailers in several places, is the distributor's responsibility. Then the process of moving subsidized fertilizer from the distributor to the retailer's warehouse is carried out by the farming community for a certain wage. Researchers also saw that there was a storage warehouse for subsidized fertilizer and other agricultural needs, such as pesticides and plant seeds. With this warehouse, fertilizer storage becomes safer because it can be protected from the heat of the sun and bad weather such as rain, which can change the form of subsidized fertilizer because of the nature of fertilizer that melts and freezes easily. Apart from that, supporting facilities in the distribution of subsidized fertilizer are adequate, because they make carrying out these activities easier. With the existence of facilities such as transportation for subsidized fertilizer, the availability of retail warehouses, and the existence of subsidized fertilizer scales for farmers' needs, it can simplify the process of distributing subsidized fertilizer, so that the distribution of subsidized fertilizer becomes more effective.

However, in certain regions or regions, the distribution of subsidized fertilizer is found to be different. Apart from inadequate facilities and the difficulty of distributing subsidized fertilizer, the employees who distribute it are still inadequate and do not understand their field. Apart from that, information is not understood by farmers and farmers lack understanding of the online RDKK, as well as abuse of authority by employees which results in delays in the distribution of subsidized fertilizer.

2) Farmers have difficulty finding quality fertilizer

Distribution of subsidized fertilizer is very necessary for farmers in various regions of Indonesia because the majority of farmers in Indonesia have middle to lower incomes and need fertilizer to farm. The high price of fertilizer makes farmers think about buying it, so the distribution of subsidized fertilizer from the government is very useful for farmers because they can buy fertilizer at an affordable price but with good quality.

The government, through the subsidized fertilizer assistance work program, limits the subsidized fertilizer that will/has been provided to farmers, while the government wants the agricultural sector to grow and succeed. According to farmers, certain types of fertilizer are expensive on the market and this type is a quality fertilizer which, if used, will increase agricultural yields, so farmers hope that the government will subsidize this fertilizer.

3) Fertilizer from the government is not on target

The results of the researcher's observations found that farmers who received subsidized fertilizer were farmers who had a Population Identification Card (KTP), food crop, horticultural and plantation farmers who had land of less than 2 hectares, farmers who were registered with farmer groups and were included in the Agricultural Extension Information System. (SIMLUHTAN), and farmers must enter the RDKK Electronic Program (e-RDKK).

The distribution of subsidized fertilizer in certain areas is in fact not distributed well, there are still farmers who should not receive subsidized fertilizer because their land is large in the sense of being able/rich. Therefore, the Government is considered not serious in collecting data on farmers who receive fertilizer.

4) Government officials buy and sell fertilizer

The reality on the ground shows that several government officials were found to use or take advantage of their authority to gain profits by using any legal means, selling subsidized fertilizers that did not comply with applicable regulations and including officials who bought and sold subsidized fertilizers to certain groups. On the other hand, farmers are worried and afraid if they report violations committed by distributors and government officials.

If you look at land use in several provinces and districts in Indonesia, the majority of land is used as gardens and rice fields. This shows that the agricultural sector has a large contribution to the economy in Indonesia. The success of production or its increase does not only depend on farmers, of course the government with its information and knowledge about the achievements of success in this sector is more important and expected. So farmers must get support and strength from the government. Therefore, subsidized fertilizer provided by the government must be quality fertilizer and its distribution is fair and equitable. Increasing productivity in the agricultural sector in several regions cannot be separated from the efforts of provincial and district governments to increase food security, such as providing seeds, fertilizers and agricultural equipment and supported by agricultural extension workers.¹²

It must be acknowledged that the role of the agricultural sector in the national economy is very strategic and urgent, because the agricultural sector still provides employment

¹² Arifien, Fafurida, and Vitradesie, "Perencanaan Pembangunan Berbasis Pertanian Tanaman Pangan Dalam Upaya Penanggulangan Masalah Kemiskinan." *Jurnal Ekonomi Pembangunan*, Vol. 13 No. 2 2012., p. 291.

opportunities for the majority of the population whose entities are in villages and provides food for Indonesian people in general. Another role of this sector is to provide raw materials for industry and generate foreign exchange through non-oil and gas exports. In fact, the agricultural sector is able to become a safety valve for the national economy in facing the economic crisis that hit Indonesia in 1 (one) decade. The question that arises then is, why are farmers still complaining about the subsidized fertilizer assistance promised by the government? Is it still ideal to maintain an institution or commission that handles issues that are considered strategic and urgent?

3.2 Subsidized Fertilizer between the Ministry of Agriculture, Ministry of Trade, Ministry of BUMN, and Regional Government

The Fertilizer and Pesticide Monitoring Commission basically carries out central level government work programs whose attributive and distributive actions are carried out by regional governments, because the one who knows the conditions of an area is the regional government (especially the district level regional government). There are several ministries that have functions and authority related to fertilizer and agriculture, including: the ministry of agriculture, the ministry of trade, and the ministry of BUMN (PT Pupuk Indonesia).

Legal actions in regulating and administering government functions which are regional household affairs are carried out based on the broadest possible principles. The broadest concept of autonomy is the right of regions to manage their own regions. This right has legitimacy from the use of a country's decentralized system which usually includes authority, institutions, finance and control.

The existence of a supervision or control dimension is a discourse that cannot be separated from the implementation of autonomy in Indonesia. This is very rational, because the central government must be able to supervise the actions taken by regions in implementing their autonomy rights to realize the goals of implementing national policies through a monitoring mechanism.

In principle, the supervision system ultimately cannot be separated from autonomy itself. This is because freedom of autonomy and supervision are two sides of one page in autonomy as stated by Bagir Manan. The purpose of monitoring is because it is none other than the granting of autonomy by the central government to regional governments, which is not carried out in an anarchic manner, but rather is carried out responsibly.

P. E. Lotulung stated that supervision is an effort to avoid mistakes, whether intentional or unintentional, as a preventive effort or also to correct them if errors have occurred as a repressive effort. A monitoring system would be indispensable in the context of limiting the government's freedom of action. If it is not limited through effective control, then freedom of action will actually slip towards abuse of authority (a *bus de droit*); exceeding authority (*ultra vires*), unlawful acts (*onrechtmatige overheidsdaad*) which will lead to violations of human rights.

The implementation of the subsidized fertilizer policy has been in place since 1969/1970, which aims to increase farmers' ability to purchase fertilizer in quantities that comply with location-specific balanced fertilizer recommended doses, as well as to increase agricultural productivity and production in order to increase national food security. Subsidized fertilizer is assistance issued by the government to farmers in order to improve the quality of agricultural or plantation products in Indonesia.

Due to the government's limitations in providing fertilizer subsidies within the framework of government programs, subsidized fertilizer is only intended for agricultural businesses which include food crop farmers, livestock and community plantations. Subsidized fertilizer for the agricultural sector is attributively regulated in Presidential Regulation no. 15 of 2011 amendments to Presidential Regulation no. 77 of 2005 concerning Subsidized Fertilizer for the Agricultural Sector as Goods Under Supervision, where implementation must pay attention to the 6 correct principles, namely the right type, right quantity, right time, right place, right price and right quality.

Regarding the lives and livelihoods of farmers (farmer groups), their welfare, and fertilizer subsidies, apart from being outlined in the Constitution of the Republic of Indonesia, it is also regulated in several other statutory regulations, including:

1. Law of the Republic of Indonesia Number 8 Prp of 1962 concerning Trade in Goods Under Supervision;
2. Law of the Republic of Indonesia Number 12 of 1992 concerning Plant Cultivation Systems
3. Law of the Republic of Indonesia Number 39 of 2008 concerning Protection and Empowerment of Farmers;
4. Law of the Republic of Indonesia Number 41 of 2009 concerning Protection of Sustainable Food Agricultural Land;
5. Law of the Republic of Indonesia Number 22 of 2019 concerning Sustainable Agricultural Cultivation Systems;
6. Republic of Indonesia Government Regulation Number 11 of 1962 concerning Trade in Goods Under Supervision;
7. Republic of Indonesia Government Regulation Number 8 of 2001 concerning Plant Cultivation Fertilizers;
8. Government Regulation Number 19 of 2004 amendments to Government Regulation of the Republic of Indonesia Number 11 of 1962 concerning Trade in Goods under Control;

The substance of the amendment to the PP above is: first, the designation of goods under supervision is determined by a Presidential Decree which regulates the procedures, including licensing, for trade in goods under supervision, and administrative actions and sanctions that can be imposed for violations of trade procedures; second, the government can use the assistance of law enforcement officials if there are violations; third, the determination of goods as goods under supervision by the minister responsible for trade and permission obtained by the appointed party to carry out trade in goods under supervision.

9. Republic of Indonesia Government Regulation Number 65 of 2019 concerning Agricultural Land Area Guarantees;
10. Presidential Regulation of the Republic of Indonesia (Perpres) Number 77 of 2005 concerning Determination of Subsidized Fertilizer as Goods under Supervision;
11. Presidential Regulation of the Republic of Indonesia Number 15 of 2011 amending Law Number 77 of 2005 concerning Determination of Subsidized Fertilizer as Goods under Supervision;

The substance of the changes to the Presidential Decree above is: first, the types of subsidized fertilizer include urea fertilizer, SP 36 fertilizer, ZA fertilizer and NPK fertilizer. The changes to the type of subsidized fertilizer are determined by the Minister of Agriculture based on the results of an agreement with the relevant agencies coordinated by the Coordinating Minister for Economic Affairs; secondly, as goods

under supervision, supervision includes procurement and distribution, including type, quantity, quality, marketing area and highest retail price of subsidized fertilizer, as well as procurement and distribution time.

12. Minister of Agriculture Regulation Number 49 of 2020 concerning Allocation and Highest Retail Prices for Subsidized Fertilizers in the Agricultural Sector for Fiscal Year 2021.
13. Regulation of the Minister of Trade Number 15/M-DAG/PER/4/2013 concerning Procurement and Distribution of Subsidized Fertilizer for the Agricultural Sector;
14. Minister of Trade Regulation Number 36 of 2018 concerning Implementation of Supervision of Trade Activities;
15. Regulation of the Minister of Trade Number 04 of 2023 amendments to Regulation of the Minister of Trade Number 15/M-DAG/PER/4/2013 concerning Procurement and Distribution of Subsidized Fertilizer for the Agricultural Sector;
16. Regulation of the Minister of Industry Number 16/M-IND/PER/3/2013 concerning Coloring of Subsidized Fertilizer;
17. Minister of Finance Regulation Number 68/PMK.02/2016 concerning Procedures for Provision, Disbursement and Accountability of Fertilizer Subsidy Funds.
18. Several Provincial/Governor and Regency/Regent Government Regulations, including:
 - a) Regulation of the Governor of Lampung Province Number G/056/B.IV/Hk/2009 concerning the Establishment of a Fertilizer and Pesticide Supervisory Commission.
 - b) Mandailing Natal Regent Regulation Number 56 of 2016 concerning the position, organizational structure, duties and functions and work procedures of the Mandailing Natal Regency Agriculture Service. From these regulations, employees in the facilities and infrastructure section know their main duties and functions in carrying out their duties so that there is no fraud by employees working in the fertilizer, pesticide and machinery sections.
 - c) Central Lampung Regency Regent Regulation Number 08 of 2014 concerning the fourth amendment to Central Lampung Regent Regulation Number 07 of 2007 concerning the Central Lampung Regency Fertilizer and Pesticide Supervisory Commission.
 - d) Pangkep Regency Regent's Decree Number 15B.272/UK/2015 concerning the Fertilizer and Pesticide Supervisory Commission.

The several laws and regulations above that regulate agriculture and fertilizer subsidies show the government's seriousness in managing and supervising the agricultural sector. Regulation of the Minister of Trade Number 04 of 2023 concerning Procurement and Distribution of Subsidized Fertilizer for the Agricultural Sector in Article 23 regulates that: (1) Holding BUMN Pupuk is not permitted to buy and sell subsidized fertilizer outside its intended use in accordance with the provisions of this Ministerial Regulation, (2) distributors and retailers are not permitted to buy and sell subsidized fertilizers outside their intended use and/or outside their area of responsibility, (3) parties other than the BUMN Fertilizer Holding, distributors and retailers are not permitted to distribute and buy and sell subsidized fertilizers.

3.3 Fertilizer and Pesticide Supervisory Commission: Preventive or Repressive Supervision

Article 37 paragraph (3) of Law 12 of 1992 states that "The government supervises the procurement and distribution of fertilizer", the implementation of supervision by government administrators cannot be carried out at will, the material for supervision of the distribution of subsidized fertilizer must be based on the provisions of the applicable laws and regulations, that the distribution of fertilizer The subsidized subsidies referred to must not be in conflict with the provisions or regulations of the applicable laws and as much as possible are intended for the welfare of farmers, while the supervision procedures are carried out by government administrators at the center which is the obligation of regional governments to distribute subsidized fertilizer in the regions to the villages in question after going through the mechanism is in accordance with the procedural regulations of the minister of trade and regulations of the minister of agriculture.

In general, the term supervision is used more in relation to management, so terminologically it is also referred to as controlling, evaluating, appraising, correcting and controlling. However, supervision can be interpreted as all efforts or activities to find out and assess the actual reality regarding whether the implementation of tasks is appropriate or not. Newman believes that "control is ensuring that the performance conforms to plan". This means that the emphasis of supervision is an effort to ensure that the implementation of a task is in accordance with the plan. Thus, according to Newman, supervision is an action carried out while an activity is in progress, even after the end of the activity process. Muchsan stated that supervision is an activity to assess the de facto implementation of tasks, while the purpose of supervision is only limited to checking whether the activities carried out are in accordance with previously established benchmarks.

Meanwhile, Manan views "control" as a function as well as a right, so it is commonly called the control function or control right. Control contains dimensions of supervision and control. Supervision is related to direction (directive). According to Lotulung, supervision is an effort to avoid mistakes, whether intentional or unintentional, as a preventive effort, or also to correct them if errors have occurred, as a repressive effort.

When connected with supervision of the government, it appears that the general definition of supervision is still relevant, the reasons are: first, in general the target of supervision of the government is maintenance or guarding so that the welfare law state can run well and can also bring the government's power as organizer of public welfare to implementation. which is also good and remains within the limits of its power; secondly, the benchmark is the law that regulates and limits the power and actions of the government in the form of material law and formal law, rechmatigheid and its benefits for the welfare of the people; third, there is a doelmatigheid of matching between actions and benchmarks that have been set; fourth, if there are signs that there will be deviations from these benchmarks, prevention is carried out; fifth, if there is a match indicating that there has been a deviation from the benchmark, then correction is carried out through cancellation, recovery for the consequences and disciplining the perpetrator of the error.

According to researchers, the basic meaning of supervision is: first, supervision is intended as a management effort to achieve the results of the objectives; second, there are benchmarks used as a reference for success; third, there are activities to match the results achieved with the established benchmarks; fourth, preventing mistakes and showing the right methods and goals; and fifth, there is corrective action if the results achieved are not in accordance with the established benchmarks.

Based on the explanation above, in the context of the exercise of executive power, supervision can be broadly interpreted as one of the management function activities to discover, assess and correct deviations that may occur or have occurred based on agreed standards, in this case the statutory regulations. applies. This is what is meant by preventive supervision and repressive supervision.

The Fertilizer and Pesticide Supervisory Commission has the authority to carry out supervision, based on the vision and mission of establishing the commission, namely:

Vision

Realizing KPPP as a driving force for the availability of agricultural facilities and infrastructure, for sustainable agricultural development

Mission

1. Facilitate the provision, distribution and use of fertilizers and pesticides in accordance with the six correct principles, namely: type, quantity, place, time, quality and price'
2. Increase supervision over the supply, storage and use of fertilizers and pesticides;
3. Improve fertilizer and pesticide registration services;
4. Encourage the participation of the community and related stakeholders in the provision and supervision of fertilizers and pesticides.

According to Minister of Trade Regulation no. 15/M-Dag/Per/4/2013 Chapter I General Provisions Article 1 letter 22 which means the Fertilizer and Pesticide Supervision Commission (KPPP), both provincial and district/city, is one of the coordinating bodies for the relevant agencies in the supervision of Fertilizers and Pesticides which was formed by the governor at the Regency/City level consisting of elements of regional government and related agencies with the chairman of the commission determined to be the Regional Secretary. Supervision of the distribution of subsidized fertilizer can run smoothly due to the influence of several supporting factors. The first supporting factor is the presence of a Subsidized Fertilizer supervisory team which helps supervise more effectively by going directly to the field. The team is the Regency/City level Fertilizer and Pesticide Monitoring Commission which was formed by the Regent/Mayor (Decree of the Minister of Agriculture number 4 of 2019).

Preventive supervision carried out by KP3 is in accordance with applicable laws and regulations, while repressive supervision carried out by KP3 is defined as an administrative activity which aims to rely on an evaluation of the work that has been carried out whether it is in accordance with the plan or not, then if there is a report that There was a problem in the field related to the distribution of fertilizers and pesticides, so KP3 followed up on the report.

KP3 at the district government level has the following functions:

- a. Coordinate the activities of each relevant agency/work unit that carries out supervision or monitoring of Fertilizers and Pesticides which includes procurement, distribution, quality, price, quantity, deviation, distribution and side effects on human health and the surrounding environment.
- b. Provide guidance to community and stakeholder businesses in the field of fertilizers and pesticides.
- c. Supervise the development of community activities related to production, deviation, distribution, utilization/use of Fertilizers and Pesticides in accordance with statutory provisions.

- d. Identify, monitor the type and quality of fertilizers and pesticides circulating on the market and the negative impacts they have on plants, humans and the environment.

Supervision by KP3 will provide added value for improving the performance of officials in realizing a sense of justice for farmers. Supervision activities are aimed solely at creating effective government power and are oriented towards achieving the commission's vision and mission. With supervision, it is hoped that it will be able to (1) stop or eliminate errors, irregularities, fraud, waste, obstacles and injustice, (2) prevent the recurrence of errors, deviations, fraud, waste, obstacles and injustice, (3) find ways to better to achieve goals in carrying out its main tasks and functions effectively.

Supervisory authority is needed in implementing government policies, but the effectiveness of a supervisory authority will diminish if there is misuse by implementers for their own interests or for the interests of their group. The author sees that the Department of Agriculture in several districts carries out its duties and functions based on existing regulations.

From the information that researchers found, the facilities and infrastructure sector is tasked with allocating subsidized fertilizer per sub-district, then in charge of supervising the implementation of the distribution of subsidized fertilizer, after the subsidized fertilizer has been distributed, it then makes a report which will later be submitted to the head of the agricultural service, as well as the tasks assigned for district level RDKK admins, namely monitoring and assisting sub-district admins in entering farmer group data if they experience difficulties.

Based on the results of interviews and observations conducted by researchers, it was found that there was fraud in the distribution of subsidized fertilizer in some areas, an official retailer in one of the villages adjacent to a particular village sold fertilizer to the community in that village, even though that was not their area for distribution of subsidized fertilizer. Policy implementers have carried out their duties in accordance with regulations, so that the implementation of employee duties can be said to be effective. However, the distribution of subsidized fertilizer in certain villages still experiences irregularities because there are retailers who provide subsidized fertilizer to farmers who do not receive subsidized fertilizer assistance in their area.

Some of the findings above certainly make it seem like there are no problems in managing state finances and distributing subsidized fertilizer to farmers. Some of these problems can be concluded that KP3 does not really know and understand the supervisory authority it has where the regulations governing it are many and detailed, meaning that some KP3 are not optimal in carrying out preventive and repressive supervision, how could it not be! Several officials were involved in abusing their authority so that farmers were the victims.

4. Conclusion

Conclusion contains a description that should answer the objectives of research. Provide a clear and concise conclusion. Do not repeat the Abstract or simply describe the results of the research. Give a clear explanation regarding the possible application and/or suggestions related to the research findings.

Ideally, the supervisory function carried out by state institutions in the executive area, especially KP3 institutions, is to carry out preventive and repressive supervision. These two monitoring systems are important to ensure that corruption crimes are not discovered in the

realization of work programs which tend to be detrimental to state finances, especially since the fertilizer program for farmers is considered vital for maintaining state security in the agricultural sector.

The supervision carried out by KP3 is only preventive supervision, and even then in the executive area there is overlap between state institutions and ministries, each of which has a supervisory sub-system within the state ministry known as the Inspectorate General (Irjen). On the one hand, fertilizer is a work program of the ministry of agriculture, on the other hand there are other ministries that are directly related to distribution, namely the ministry of trade and the ministry of BUMN through PT Pupuk Indonesia. This means that from the start of the formation of KP3 it should have been formed based on a joint decree of 3 (three) ministers in which it was given the authority to carry out preventive and repressive supervision, so that KP3 in carrying out its authority could synergize in monitoring the distribution of fertilizer to farmers. Not only that, the Regional Government (Provincial and Regency) is given the authority to form or not form the Commission as a consequence of regional autonomy, so that the history of the formation of institutions to monitor to prevent misuse of state finances is not understood by state administrators.

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