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SUPERVISION FUNCTIONS OF THE REGIONAL PEOPLE'S REPRESENTATIVE BOARD AND THE IMPLEMENTATION OF THE INCOME BUDGET IN WEST SULAWESI PROVINCE

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Abstract:-

This study aims to determine the process of implementing the supervisory function of the DPRD in the implementation of the Regional Regulation (Peraturan Daerah) APBD and what are the obstacles to the Regional Government of West Sulawesi Province. This research is a qualitative research that is normative and empirical. The research location chosen was in the province of West Sulawesi. This research is empirical research. Materials or data that are studied and analyzed in the study consist of library materials, data and interviews in the field. In general, the implementation of the supervisory function carried out by the members of the DPRD of West Sulawesi Province has gone well to guard the aspirations of the community by routinely monitoring and field visits, input from the public. sometimes do not run the SOP on the program of activities.

Keywords: Budget Optimization, Supporting Factors, Inhibiting Factors, Supervision, Members Of Local Parliament

Introduction:-

The presence of the DPRD in a democratic country is not to reduce the authority of the executive but must be seen as an effort to better ensure the interests of the people in all regional government policies. In the development of the function of the DPRD in Indonesia, it has experienced ups and downs along with the dynamics of the state administration. However, it is not uncommon that the function and authority of the DPRD cannot be realized, which ultimately leads to a decline in the image of the DPRD. This is because DPRD is not a technical institution that implements regulations, but rather supervises regional regulations, budgets and local government policies (Aminuddin, 2015).

The DPRD's supervisory function on the implementation of local government has been implemented effectively in an equal relationship between regional heads and DPRD, for better regional development (Amalia, 2011). This check and balance is in accordance with agency theory, the government acts as an agent while the community is represented by DPRD as the principal. The government is the regional government referred to here, namely the provincial government which compiles the budget which will then be submitted to the central government and after being approved by the central government, the budget must be accountable for the realization of its budget by the regional government to the central government which acts as an agent in the implementation and preparation Budget monitoring is needed in order to realize accountability. DPRD is an institution that by law has a strategic position in carrying out the supervisory function of provincial, district and city governments, where

DPRD as the principal represents the people's voice (Faizal, 2011).

However, the supervisory function of the DPRD has not run optimally in order to achieve the mission and objectives set by the regional government. The relationship of equality and partnership between DPRD and Regional Heads in making regional policies is still characterized by many cases of corruption, collusion and nepotism in the administration of local government. With the various functions and authorities of the legislature over the executive, it turns out that in the field the functions and authorities of the DPRD are not running as effectively as expected. Several cases that emerged, namely in West Sulawesi Province, the Provincial DPRD did not carry out its supervision optimally, only focusing on reactionary supervision. The researcher's hypothesis assumes that the supervision carried out by the legislature is just a mere formality. This is the reason why researchers want to do more in-depth research on this hypothesis.

Based on BPKP data processed from reports from 2012 to 2015 it shows that there are 71 cases of TPK corruption in provincial government agencies. Meanwhile, in districts/cities there are 107 cases of TPK (http://www.bpkp.go.id). The majority of the motives for these acts of corruption are bribes and gratuities involving DPRD, regional heads and entrepreneurs. This is because regional heads have enormous power in managing the APBD budget, recruiting regional officials, granting natural resource permits, procuring goods and services and making regional head regulations. given by the center to the regions in the utilization of regional budgets even though the funds are mutually dropping and partnering to produce the implementation policies come from the center. The regions will use the budget in accordance with the needs and priorities of the regions. The needs and priorities of the regions will be closely related to the vision and mission developed by the For this reason, the target of budget oversight is the extent to which the budget allocation is related to the achievement of the regional vision and mission.

Aminuddin's research (2015) found that efforts to strengthen the supervisory function of DPRD can be realized by structuring regulations related to the implementation of DPRD functions as part of regional government that has strategic functions and roles in supervising the implementation of regional regulations, budget use and government policies. Regional governments and efforts to strengthen the supervisory function of the DPRD can also be done by improving the quality of the human resources of DPRD members. Rembudkk (2012) in his research shows that the supervision carried out by the Malang City DPRD, especially in the field of education, uses a supervisory model in terms of time or object being supervised which includes, direct supervision and monitoring, indirect supervision and cross-sectoral supervision. There are several factors that influence the implementation of supervision, namely the level of seriousness of the institutions that have a supervisory role and function, the application of ethics in supervision and the type of policy itself and the role of the community in supervising it. The impact that arises as a result of the supervision process. The majority of previous studies have observed and analyzed the implementation of DPRD supervision from one side only, namely the implementation of policies seen from the perspective of public administration, while this study seeks to examine from the perspective of regional finance.

Decentralization in the political field has consequences, namely the placement of DPRD members in an equal position with regional heads in the administration of regional government. The strengthening of the DPRD's institutional functions is manifested by the Legislation, Budgeting and Controlling functions in the DPRD which follows the strengthening of the functions of the DPR at the central level. However, the shift in strengthening the functions and duties of DPRD institutions in the regions is not necessarily followed by an increase in the quality, degree of aspirations and work productivity of DPRD institutions. The council is considered to be still unable to carry out its functions properly, including carrying out its supervisory function on the planning, implementation of activities and programs of local government.

Based on this description, the authors are interested in conducting research on: "The Supervision Function of the Regional House of Representatives and the Implementation of the Revenue Budget in the Province of West Sulawesi". Through this paper, it is expected to be able to produce knowledge that has been verified through a process of research and analysis on the DPRD Supervision Function on the Implementation of Regional Regulations (Regional Regulations) by the Regional Government of West Sulawesi Province. Checks and balances are expected to occur in order to optimize the implementation of the supervisory function carried out by the DPRD to strengthen the accountability of local governments to realize good governance.

Literature Review:-

Agency Theory

Agency theory according to Jensen and Meckling (1976), namely the agency relationship is a contract between the principal and the agent, by looking at the delegation of some decision-making authority to the agent. According to Zimmerman (1977), agency problems also occur in government organizations, the people as the principal provide mandate to the government as an agent, to carry out your government's duties in order to improve the welfare of the people. Halim and Abdullah (2003) also explain that agency theory can be applied in public sector organizations and state that modern democracies are based on principal-agent relationships. This is supported by Moe's (1984) statement which explains the economic concept of public sector organization using agency theory.

Modern democracies are based on a series of principal-agent relationships, so the principal-agent relationship framework is a very important approach for analyzing public policy commitments (Lane and Kivisto, 2008). In the public sector agency theory can also be seen from the budget preparation report (Santoso & Pambelum, 2008; Amyulianthy et al, 2016). The local government referred to here is the provincial government which compiles the budget which will then be submitted to the central government and after being approved by the central government, the budget must be accountable for its budget realization by the regional government to the central government which acts as an agent. In the implementation and preparation of the budget, supervision is needed to realize accountability and the DPRD is an institution that by law has a strategic position in carrying out the supervisory function of the provincial, district and city governments where the DPRD as the principal represents the people's voice.

Supervision in the Conception of Democracy

Supervision as a means of democratization will increasingly have its place, if there is a reciprocal relationship between supervisory institutions and the people as holders of sovereignty. Whether in the form of reports or complaints from the public regarding the administration of government or the public's response to the findings of supervision, it should be regulated in the legal instrument of supervision.

Optimizing supervision over the implementation of regional government in addition to realizing the ideals of regional autonomy in improving people's welfare, is also to prevent irregularities and abuse of authority. Lord Acton (1833-1902) stated that humans who have power tend to abuse that power, but humans who have unlimited power will definitely abuse it (power tends to corrupt, but absolute power corrupts absolutely). In terms of constitutional law, this abuse of power by the government is called onrechtmatige over heidsdaad.

The Role and Functions of DPRD

DPRD is a legislative institution domiciled at the local level, be it Province, Regency, or City. The existence of the DPRD acts as an axis of power in order to balance the other two axes of power at the local level, namely the executive (Governor, Regent, Mayor) and the judiciary (High Court and District Court). The roles and functions of DPRD are legislative functions, supervisory functions, and budgeting functions.

In essence, the autonomy rights granted to regions are to achieve the goals of the state. According to Rosseau in Abu Daud Busroh (1985:129), the sovereign people are only fiction, because the people can represent their power in various ways. So the notion of sovereignty is a pseudo meaning, abstract, in the sense that it cannot be seen clearly in a concrete form.

According to Law Number 32 of 2004 concerning Regional Government, the autonomy granted is broadly within the Regency/City Region. This is with the intention that the principle of decentralization is given in full to be applied to the Regency and City Regions, while the Provincial Regions are applied in a limited way (general explanation of Law Number 32 of 2004). Based on Chapter V Article 19 paragraph (2) of Law Number 32 of 2004 concerning the Implementation of Government, that: Regional Government Administrators are the Regional Government and the Regional People's Representative

Council (DPRD).

Ryaas Rasyid (2001:222) assesses the need to strengthen the role of the DPRD, both in the legislative process and in the running of government, including the consequences of monitoring the implementation of regional financing and expenditure budgets. The legislative function in question is the function of the DPRD to form regional regulations with regional heads. What is meant by the budget function is the function of the DPRD together with the regional government to prepare and determine the APBD which includes a budget for the implementation of the functions, duties and authorities of the DPRD, while what is meant by the supervisory function is the function of the DPRD to supervise the implementation of laws, regional regulations, and regional head decisions and policies set by the regional government.

The institutionalization of Regional Autonomy is not only articulated as a final destination, but rather as a mechanism (mechanism) in creating democratization of governance which is carried out by autonomous regions themselves. Among the prerequisites that must be met to achieve this goal are that local governments must have a clear territorial power (legal territorial of power); have local own income; has a representative body (local representative body) that is able to control Daedan executives.

The existence of this equipment in the DPRD normatively is still weak. We can see this in the provisions of Article 46 paragraph (1) of Law no. 32 of 2004 concerning Regional Government and Article 43 paragraph (1) of Government Regulation no. 25 of 2004 concerning Guidelines for the Preparation of the DPRD's Rules of Conduct, does not explicitly mention the Legislation Committee as one of the DPRD's equipment, but what is referred to as DPRD's equipment is "leaders, commissions, deliberation committees, budget committees, honorary bodies, and other necessary equipment."

This last point is the "entrance" to the establishment of the Legislation Committee's completeness, so it is not considered as a permanent tool. For this reason, if there is a strong commitment and desire in an effort to improve the optimization of the legislative function, the equipment of the Legislation Committee in the DPRD should be equated with other DPRD equipment that already exists and has a permanent existence.

Research Methods:-

This study aims to determine the process of implementing the supervisory function of the DPRD in the implementation of the Regional Regulation (Peraturan Daerah) APBD and what are the obstacles to the Regional Government of West Sulawesi Province. This research is a qualitative research that is normative and empirical. The research location chosen was in the province of West Sulawesi. This research is empirical research. Materials or data that are studied and analyzed in the study consist of library materials, data and interviews in the field.

Results and Discussion:-

Implementation of the supervisory function of the DPRD in the implementation of Regional Regulations (Regional Regulations) on the Regional Budget by the Regional Government of West Sulawesi Province.

When discussing the implementation of the DPRD's supervisory function in the implementation of regional regulations, it cannot be separated from the agency theory according to Jensen and Meckling (1976), namely the agency relationship is a contract between the principal and the agent, by looking at the delegation of some decision-making authority to the agent. According to Zimmerman (1977)), agency problems also occur in government organizations, the people as the principal give a mandate to the government as an agent, to carry out your government's duties in order to improve the welfare of the people. Halim and Abdullah (2003) also explain that agency theory can be applied in public sector organizations and state that modern democracies are based on principal-agent relationships. This is supported by Moe's (1984) statement which explains the economic concept of public sector organization using agency theory.

Modern democracies are based on a series of principal-agent relationships, so the principal-agent relationship framework is a very important approach for analyzing public policy commitments (Lane and Kivisto, 2008). In the public sector agency theory can also be seen from the budget preparation report (Santoso & Pambelum, 2008; Amyulianthy et al, 2016). The local government referred to here is the provincial government which compiles the budget which will then be submitted to the central government and after being approved by the central government, the budget must be accountable for its budget realization by the regional government to the central government which acts as an agent. In the implementation and preparation of the budget, supervision is needed to realize accountability and the DPRD is an institution which by law has a strategic position in carrying out the supervisory function of the provincial, district and city governments where the DPRD as the principal represents the people's voice.

The main task of the DPRD in carrying out the supervisory function of government policies, whether carried out through regional regulations, regional head decisions, turns out to have implications for the outputs of development programs and services in general. With the implementation of supervision, all activities can be controlled and even can avoid deviations and irregularities.

The supervision carried out by members of the legislature is administrative in nature, very useful to see how far the policy has been implemented through a series of planning stages to its utilization for the community and the region. Therefore, it is necessary to understand that supervision is essentially a systematic effort to set implementation standards with planning objectives, design feedback information systems, compare actual activities with standards that have been applied, determine and measure deviations and take necessary corrective actions.

All forms of supervision aim to ensure that all resources are used in an effective and efficient manner in achieving goals and objectives. Through this legislative function, it actually places the DPRD in a very strategic and honorable position, because the DPRD participates as an equal partner to the regional government in determining the sustainability and future of the region. This must also be interpreted as a mandate to fight for and improve the welfare of the people, but in its implementation it is still not optimal because the members of the legislature do not only bring the interests of the community but also adjust to what has been directed by their respective political parties so it must be adjusted between the interests of the community and the instructions. from the party.

Policies and implementation of policies issued by regional governments are interpreted differently, government policies can be interpreted as every decision carried out by regional officials on behalf of the agency they lead (in the context of carrying out general government or development functions, in order to overcome certain problems or achieve certain goals or in the context of implementing products). -decision products or statutory regulations that have been determined and are usually stated in the form of statutory rules or in the form of formal decisions Policy implementation, an action taken by individuals/officials/government or private groups directed at achieving goals- goals outlined in policy decisions.

The reality that must be faced is that the supervisory function needs to be regulated as well as possible, so as not to cause excessive access to the implementation of executive policies, and later it will make policies not run effectively. Mechanisms and forms of supervision must present a dynamic atmosphere in joint partnerships as local government administrators. the implementation of the supervisory function of the DPRD of West Sulawesi in local government policies has been carried out quite well, it is said to be quite good because there is still a supervisory function of the DPRD that has not been implemented optimally.

The supervision carried out by the DPRD is generally recognized as a political instrument by each political party which is conveyed through the factions. So that the supervision is directed at the political interests of the party which will affect where the supervision is directed. Regional heads who come from factions in the DPRD, then the supervision by these factions is basically almost ignored, especially since the regional heads control political parties, it is certain that the regional heads will control the activities of the factions in the DPRD.

Supervision is a continuous process carried out by repeating carefully and periodically. In carrying out supervision, cooperation must be prioritized and a sense of trust must be maintained. Guarantee the achievement of objectives by knowing the differences between the plan and implementation in a timely manner so that improvements can be made immediately and prevent protracted errors. In carrying out supervision, a forward view is needed to be able to prevent the recurrence of the shortcomings of the current plan against the next plan (Sunindhia, 1987: 112).

According to Presidential Instruction No. 15 of 1983 in Mufham Al-Amin (2006:49) the purpose of supervision is to support the smooth and accurate implementation of government and development activities. According to Paulus Effendi Lotulung in Irfan Fachrudin (2004: 89) control over the government is an effort to

avoid the occurrence of mistakes, whether intentional or unintentional, as a preventive effort, or also to correct it if an error has occurred, as a repressive effort.

Murdanil, SE., M.AP as the Head of the West Sulawesi Province BPKPD from the executive side said that in general the supervision carried out by the DPRD has gone through the stages of accountability for the APBD that have been discussed together. The supervisory function carried out by the DPRD of West Sulawesi Province was explained by Mr. Muhammad Hatta Kainang, SH as chairman of Commission III of the DPRD of West Sulawesi Province consisting of three, namely :

1. Monitoring and field visits, input from the public

2. Kroscek at the time of meeting partners,

3. Documents of the program implementation process, the council only received the RKA document, regarding the DPA cannot be accessed but regarding the auction process for the procurement of goods and services we monitor through the LPSE website to find out that the program has been running according to the mandate as a factor that supports the performance process of the DPRD.

H. Taufiq Agus, SH from the Golkar faction further explained about the supervision carried out by members of the DPRD of West Sulawesi Province, the supervision is divided into two, the first is the preimplementation, meaning that the development and budget have been monitored, the second after the activity is carried out whether it is appropriate or not good in terms of quality or quantity. as well as the implementation process, including the auction process of an activity in the planning related to our duties and functions, which is called the AKD, the council for example in the commission will oversee the commission partners, then it is also made to adjust the results whether they are in accordance with the budget or not, so the budget agency has each according to the commission, the commission discusses the items and plans what it wants to discuss if it is proud to provide a budget according to its partners on the commission.

The involvement of the Council in formulating the general direction and policies of the APBD, carrying out political analysis of the APBD preparation process, the involvement of the Council in ratifying the APBD, the ability to explain the APBD that has been prepared, the Council's belief that the APBD has transparency, the involvement of the Council in monitoring the implementation of the APBD and the evaluation carried out by the Council. on the Accountability Statement Report (LKPJ), the evaluation carried out by the Council on the factors or reasons that led to the APBD revisions, requests for information by the Council on the APBD Accountability Report (LKPJ) submitted by the Regent/Mayor and follow-up from the Council if it occurs irregularities in the LKPJ APBD.

Previous research from Kasenda et al., (2020) found empirical facts showing that although it is not perfect, the Manado City DPRD has tried to carry out a supervisory function because there are several supporting and inhibiting factors in carrying it out.

Obstacles in the implementation of the DPRD's supervisory function in the implementation of Regional Regulations (Perda) by the Regional Government of West Sulawesi Province

Because the DPRD is from a political party, the obstacle in carrying out the duties of the DPRD including the supervisory function is that the council is always busy in dealing with the affairs of political parties, even though it is regulated in the rules that the duties of the council must take precedence over other matters, but in fact the council always prioritizes political affairs. This is of course because the council comes from a political party, especially in accordance with Law Number 22 of 2003 concerning the Composition and Position of the members of the MPR, DPR, DPD and DPRD, that political parties can recruit their members in the council.

In the research conducted by Hakim (2019), it was stated that there were several obstacles and obstacles experienced by the Probolinggo Regency DPRD, one of which was the lack of skilled human resources in terms of supervision of the APBD. Another factor that becomes an obstacle is the lack of active participation from the community in the preparation and supervision of the APBD, so that community needs are often neglected. However, to minimize obstacles in the process of developing a supervisory system carried out by the Probolinggo Regency DPRD has a device, namely commissions according to their fields, in addition to the Probolinggo Regency DPRD commission also forming a Special Committee if there are urgent problems in the context of supervision.

From the description above, it can be understood that the obstacles in carrying out supervision over the

implementation of regional regulations and regulations can be categorized as obstacles originating from the council itself or internal factors, as well as obstacles from outside the council or external factors.

Some of the obstacles to the DPRD oversight process can be described as follows:

1) Every OPD sometimes does not run SOPs for program activities so that sometimes they carry out crosscheck processes just to get a narrative to identify

2) Regulations for discussing regional regulations sometimes use PP12 2019 and then use Home Affairs Minister 77, the elaboration of PP12 if we in the council diligently access PP 12 of 2019 we can get an idea of how far the process of discussing regional regulations without identifying using regulations

3) Executive response and participation. It's normal and normal, every discussion of the RANPERDA APBD should be explained in detail, it should use a logical framework, but it's not achieved, maybe because of HR issues and management issues so that the program presentation is not presented in the form of a logical framework. Why is it important to use framework logic because each program must be measurable and know what the goals are so that the board members get an idea through the presentation, it's not just a matter of submitting RKA, we need the truth about what is meant by RKA logic in the form of a framework because if there is no framework logic, it won't don't know what are the outputs and goals of a program, how far is the progress of the work process carried out by the executive?

4) Notes that become criticisms of board members are sometimes not completely answered, sometimes answered in general, the council's questions should be answered specifically so that if there is a problem it doesn't become a problem, sometimes it is not resolved because usually the answers we get are only narratives, which are general in nature. not in accordance with the wishes of the bureaucratic principle board where the performance paradigm inevitably becomes the demands of the times, it is not like it used to be, in the future the BPK will also carry out a performance audit process to what extent the program has an impact and effect on the public because of the demands of the times, so inevitably the bureaucracy must be like that .

5) Fundamental factors between the interests of the executive, including operational expenditure, employees and the community represented by the DPR, there are usually disagreements, especially regarding the numbers, so actually the budget is only if the budget is not limited, maybe the problem is not there, so sometimes We draw out the interests of the executive and the interests of the members of the DP.

6) Starting from the planning process to the special discussion in West Sulawesi, sometimes the executive according to their experience is not able to realize the facts and be held accountable for the realization where they are sometimes when measured in time and the stages are very low in absorption because that is what DPRD members expect to fulfill. The first 3 elements are the funds, supervise the funds, the second is the activities, what activities they do are useful for the community or not. Third, there is a time, whether the time is right or not, the problem we are experiencing is the timing because they never do it on time, so the absorption is very low, this is the point even though we already have 3 capital, there are activities, funds or budget and the time, just stay. a matter of time so the absorption is a bit less.

Differences of opinion often occur between members of the DPRD and the Government during the implementation of amendments to the APBD, so to prevent these obstacles, the secretariat must take a role so that the substance of the discussion can be reached by agreement. In this problem, there are several ways that are usually done by secretariat employees of the Provincial DPRD of West Sulawesi, namely starting with an invitation that our schedule for meetings with the OPD is with these things, the time, the place has been arranged by the team as for the OPD obstacles that cannot come. when the board members need it, we communicate directly by calling or we use zoom. As for the OPD, wherever we can zoom, we can directly question the needs of the council and the OPD, the facilities we have prepared. In essence, the discussion process, which has been in accordance with the work schedule of the DPRD with the executive, is proceeding in accordance with the existing mechanisms and provisions.

When there is a disagreement in the activities of the legislative and government discussions, the important role played by the secretariat in the mediation of the two, of course, we must place the scheduling of this place in time, because from one side the DPRD certainly wants it when they want it, not necessarily the same as what the executive wants. so we are looking for a momentum that can carry out discussions together with the time they have so that there are no obstacles in terms of determining the time of the discussion even though it is a regulation that determines the schedule for the right momentum at the right time, yes, of course there is a similarity of time needed with the role of the DPRD secretariat this mediates the communication of all that so that there is an agreement that they build when they can carry out the discussion and I think so far it's been good and there are no problems.

Conclusion:-

Based on the results of research and discussion of research regarding the conclusions obtained as follows:

- 1) In general, the implementation of the supervisory function carried out by members of the DPRD of West Sulawesi Province has gone well to guard the aspirations of the community by routinely monitoring and field visits, input from the public.
- There are several obstacles that hinder the supervisory function, such as the existence of OPD 2) sometimes not carrying out SOPs for program activities so that sometimes they carry out crosscheck processes just to get a narrative to identify; Regulations for discussing regional regulations sometimes do not use PP 12 of 2019 and then use the Ministry of Home Affairs 77; RANPERDA APBD has not been explained in detail \using a logical framework; Notes that become criticisms of the council's friends are sometimes not completely answered, sometimes answered in general, the council's questions should be answered specifically so that if there is a problem it does not become a problem, sometimes it is not resolved because usually the answers that DPRD get are only in the form of narratives, which are general in nature not in accordance with the desire of the bureaucratic principle council in which the performance paradigm inevitably becomes the demands of the times, not as it used to be; the basic factors of interest between the interests of the executive including operational expenditures, employees and the community represented by the DPR there are usually disagreements, especially regarding numbers, so actually the budget is only if the budget is not limited, maybe the problem is not there, so sometimes we pull it out the interests of the executive and the interests of DPRD members; Starting from the planning process to the special discussion in West Sulawesi, sometimes the executives, according to their experience, are unable to realize the facts and are held accountable for their realization.

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