



CONSTITUTIONAL COURT
OF THE REPUBLIC OF INDONESIA

SUMMARY OF DECISION
FOR CASE NUMBER 23/PUU-XXI/2023

Concerning
Authority in Appointing Village Officials

- Petitioner** : **Belly Respati, S.H.**
- Type of Case** : Judicial Review of Law Number 6 of 2014 concerning Villages (Law 6/2014) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution).
- Subject Matter** : The appointment of village officials as stipulated in the Minister of Home Affairs Regulation Number 67 of 2017 is contrary to Law Number 6 of 2014 concerning Villages;
- Verdict** :
1. To grant the withdrawal of the Petitioner's petition;
 2. To declare that Petition Number 23/PUU-XXI/2023 concerning Judicial Review of Law Number 6 of 2014 concerning Villages against the 1945 Constitution of the Republic of Indonesia is withdrawn;
 3. To declare that the Petitioner cannot resubmit the *a quo* petition;
 4. To order the Registrar of the Constitutional Court to record the withdrawal of Petition Number 23/PUU-XXI/2023 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* atau e-BRPK) and to return a copy of the petition file to the Petitioner.
- Date of Stipulation** : Thursday, 30 March 2023.

Overview of Stipulation :

The Petitioner's Petition was received by the Registrar's Office of the Constitutional Court on 8 February 2023 under the Deed of Submission of the Petition of the Petitioner Number 16/PUU/PAN.MK/AP3/02/2023, and recorded in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) on 22 February 2023. In accordance with Article 34 of the Constitutional Court Law, the Court has conducted a Preliminary Examination of the *a quo* petition through a Panel Session on 6 March 2023, however because the Petitioner experienced technical difficulties, the Court rescheduled the Preliminary Examination Panel Session to 9 March 2023 and the Panel of Judges has advised the Petitioner to revise his petition. In the said hearing, the Petitioner stated that he was withdrawing his petition on the grounds that the Petitioner was questioning the Regulation of the Minister of Home Affairs Number 67 of 2017, which the Petitioner later realized that reviewing ministerial regulations are not within the authority of the Court, so that the Petitioner withdrew his petition;

In accordance with the provisions of Article 35 paragraph (1) of the Constitutional Court Law, the Deliberative Meeting of Judges on 21 March 2023 has determined that the revocation or withdrawal of petition for Case Number 23/PUU-XXI/2023 is legally justifiable and the Petitioner cannot resubmit the *a quo* petition. The Court ordered the Registrar of the Constitutional Court to record the withdrawal of the Petitioner's petition in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and to return a copy of the petition file to the Petitioner;

Whereas pursuant to the aforementioned legal considerations, the Court passes down the Stipulations as follows:

1. To grant the withdrawal of the Petitioner's petition;
2. To declare that Petition Number 23/PUU-XXI/2023 concerning the Judicial Review of Law 6/2014 against the 1945 Constitution is withdrawn;
3. To declare that the Petitioner cannot resubmit the *a quo* Petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of Petition Number 23/PUU-XXI/2023 in the e-BRPK and to return a copy of the petition file to the Petitioner;