



Optimizing the Role of the Supervisory Board of Tirta Moedal Semarang Regional Drinking Water Company in the Perspective of Constitutional Law in the Social Environment

Hermansyah Bakri^{1*}, Kukuh Sudarmanto², Soegianto³, Zaenal Arifin⁴, Alya Sani Partiw⁵

^{1,2,3,4,5} Postgraduate, Master of Law, University of Semarang, Semarang City, Indonesia

*hermansyahbakri@gmail.com

Abstract. This study aims to analyze the optimization of the role of the Supervisory Board in the management of the Regional Drinking Water Company (PDAM) Tirta Moedal Semarang from the perspective of constitutional law in the social environment. PDAMs have an important responsibility in ensuring public access to clean water, which is a basic right regulated in the constitution. However, in practice, there are still challenges in maintaining transparency, accountability and operational effectiveness. The urgency of this research lies in the need to improve the quality of supervision to ensure that PDAMs implement the principles of good governance. The methodology used is empiris, with a statutory approach and legal doctrine analysis. The novelty of this research lies in the proposal to increase the capacity of the Supervisory Board through regulatory training, implementation of supervisory technology, and strengthening mechanisms for transparency and public participation. The results show that optimizing the role of the Supervisory Board plays a significant role in the social environment in balancing public interests with company profitability, as well as supporting the fulfillment of community constitutional rights. By implementing the resulting recommendations, PDAM Tirta Moedal Semarang is expected to improve service quality in the social environment and maintain transparency in the management of water resources.

Keywords: Optimization; Transparency; Accountability, Social environment

1. Introduction

The Supervisory Board of a Regional Drinking Water Company (PDAM) is one of the institutions that has a strategic role in overseeing the operations of a regional company that provides clean water services to the community. As a body established to ensure that the company performs its functions and duties effectively, the Supervisory Board has an obligation to ensure that the PDAM not only provides services that meet quality standards, but also operates with the principles of transparency, accountability and efficiency.[1]

Tirta Moedal Semarang Regional Drinking Water Company (PDAM Tirta Moedal) is one of the regional companies that plays an important role in providing clean water to the people of Semarang City. As an entity incorporated and managed by the local government, PDAM Tirta Moedal has a great responsibility in providing quality public

services. However, in the midst of the increasingly complex development of local corporate governance, there are still

There are challenges related to optimizing the role of the Supervisory Board, which should be a strategic supervisor in the company.

As an institution with a supervisory function, the Supervisory Board has a central role in ensuring that the PDAM conducts its operations in accordance with the principles of good governance, accountability and transparency.[2] However, in reality, there are several obstacles in carrying out this supervisory role, both in terms of institutional structure and in terms of legal understanding relevant to the duties of the Supervisory Board. This suggests an urgent need to evaluate and optimize the role of the Supervisory Board in the context of constitutional law.

Constitutional law plays an important role in regulating the relationship between the government and state institutions, including in terms of supervision of regional companies.[3] From a constitutional law perspective, the Supervisory Board of PDAM Tirta Moedal must be organized in such a way that it functions not only as an administrative control tool, but also as an institution that can carry out supervisory duties independently and objectively. The concept of decentralization embodied in constitutional law also provides room for local governments to regulate and manage regional companies more flexibly.

Based on the principle of decentralization, local governments are given the authority to manage government affairs at the local level, including in the provision of public services such as drinking water supply.[4] The optimization of the role of the Supervisory Board of PDAM Tirta Moedal is highly dependent on a proper understanding of the duties and authorities granted by law, as well as how the relationship between the Supervisory Board and local government can be created in the form of synergistic cooperation. However, in practice, there is often a lack of clarity regarding the limits of authority and responsibility of the Supervisory Board in the management of local companies.

On the other hand, from a social law perspective, the Supervisory Board also needs to pay attention to aspects of public interest in supervising the company's policies and operations. Social law emphasizes the principle of social justice, which requires regional companies to provide equitable and fair services to all levels of society, including vulnerable groups. The Supervisory Board must be able to ensure that company policies and management do not only prioritize profits, but also consider environmental sustainability and the social welfare of the community.

Optimizing the role of the Supervisory Board must also consider the existence of local regulations governing the governance of regional companies, as well as other regulations that may affect the running of local government. the role of the Supervisory Board becomes very important to ensure that PDAM Tirta Moedal not only complies with applicable legal provisions, but also follows broader legal principles, such as democracy, transparency, and public participation in decision making. the urgency to conduct a study of the relationship between the Supervisory Board and applicable regulations in improving company performance.

In order to optimize the role of the Supervisory Board, an evaluation of the current institutional system and structure is required.[5] This research aims to identify barriers that reduce the effectiveness of the Supervisory Board in carrying out its duties and provide recommendations strategic to improve supervisory performance. With a deeper understanding of constitutional and social law perspectives, it is expected that the Supervisory Board of PDAM Tirta Moedal will be able to perform its role more

effectively in maintaining a better quality of water services for the people of Semarang City.

2. Method

The research method used in this study is a type of empirical research with a qualitative approach using a case study of the Tirta Moedal Semarang Regional Drinking Water Company. This research combines in-depth interview techniques, participatory observation, and document analysis to collect data related to the role of the Supervisory Board in managing the drinking water company. The focus of the research will be from the perspective of constitutional law, emphasizing on how the Supervisory Board performs its duties in supervising and controlling the company's operations in accordance with the principles of good governance. In addition, this study will also examine the social role of the Supervisory Board in ensuring social justice in the distribution of clean water as well as the social impacts caused by the company's policies. The data collected will be analyzed descriptively-analytically to provide an in-depth picture of the optimization of the role of the Supervisory Board in the context of constitutional and social law.

3. RESULT And DISCUSSION

The Supervisory Board of Tirta Moedal Semarang Regional Drinking Water Company has a very important role in ensuring that the company operates in a transparent, accountable and efficient manner. As a supervisory body, the Supervisory Board is responsible for monitoring and evaluating the policies implemented by PDAM management in order to provide optimal clean water services to the community. From a constitutional law perspective, the role of the Supervisory Board becomes increasingly relevant as regional companies such as PDAM Tirta Moedal are expected to implement the principles of good governance, in accordance with applicable regulations and fulfill the public interest.[6]

While the Supervisory Board has a very important function, in practice there are often various challenges that hinder the optimization of its role. One of the main challenges is the limited resources, both in terms of experts available in the Supervisory Board, as well as in terms of understanding of increasingly complex regulations. In addition, it is often difficult for the Supervisory Board to maintain independence in carrying out supervisory duties, given the pressure or influence from various interested parties. This challenge requires strategic steps in strengthening the capacity of the Supervisory Board so that it can function optimally.

Relationship between the Supervisory Board and Local Government In the context of constitutional law, the relationship between the Supervisory Board and the local government is very important to determine the effectiveness of the supervision carried out.[7] Regional companies such as PDAM Tirta Moedal operate under the authority of the local government, which also has influence over the decisions made by the Supervisory Board. It is therefore important to ensure that the Supervisory Board has a sufficiently strong and independent position within the company's organizational structure, so that it can perform its duties without excessive intervention from external parties, including the local government itself. A harmonious relationship between the Supervisory Board and local governments should be based on the principles of transparency and accountability. While local governments have a role in setting general

policies. The Supervisory Board shall have the freedom in carrying out its oversight function to ensure that the policies adopted by PDAM Tirta Moedal continue to prioritize the public interest, not the interests of certain political groups. Strengthening the position of the Supervisory Board can be achieved by providing clear authority and transparent mechanisms for decision-making, as well as ensuring effective communication channels between the Supervisory Board and local government to avoid conflicts of interest that could hinder objective and professional supervisory duties.

Optimizing the role of the Supervisory Board must also pay attention to compliance with applicable regulations, both local and national.[8] From a constitutional law perspective, the Supervisory Board has an obligation to ensure that PDAM Tirta Moedal conducts its operations in accordance with local regulations governing the governance of water companies, as well as other relevant laws and regulations. Compliance with these regulations covers not only administrative and financial aspects, but also in terms of meeting water quality standards, applicable tariffs, and services to the community.

Supervision in Social Perspective In addition to the legal aspects, the Supervisory Board must also pay attention to the social dimension in carrying out its supervisory duties.[5] In the perspective of social law, the supervision conducted by the Supervisory Board not only aims to ensure the continuity of the company's operations, but also to ensure that the company has a positive impact on society. One example of important social oversight is in ensuring that clean water services are accessible to all levels of society, including those in remote or marginalized areas. The Supervisory Board must ensure that PDAM Tirta Moedal does not only pursue financial returns, but is also committed to realizing social justice in the provision of clean water.

Capacity Building of the Supervisory Board To optimize the role of the Supervisory Board, it is necessary to increase its capacity both in terms of knowledge of constitutional law, corporate management, and understanding of relevant social issues.[9] One step that can be taken is to provide training and continuing education for members of the Supervisory Board, so that they can better understand the challenges faced by PDAM Tirta Moedal in its operations, and be able to provide constructive recommendations in order to improve the quality of clean water services. This training should also include an understanding of the principles of good governance and accountability in the management of regional companies.

Optimizing the role of the Supervisory Board, several recommendations can be made. First, there is a need to strengthen the independence of the Supervisory Board so that it can carry out its duties without any intervention from outside parties. Second, the Supervisory Board must be equipped with human resources who have competence in the fields of law, finance and company management. Third, it is important for the Supervisory Board to be more active in providing strategic input to the management of PDAM Tirta Moedal related to the policies taken, as well as in encouraging public participation in decision-making. With these steps, it is hoped that the Supervisory Board can fulfill its role more effectively and help PDAM Tirta Moedal to provide better services to the people of Semarang.

4. Conclusion

The Supervisory Board of PDAM Tirta Moedal Semarang plays a key role in ensuring transparency, accountability and efficiency in the management of the regional

water company. However, in order to optimize its role, the Supervisory Board needs to face various challenges, including limited resources and external pressures that may affect its independence. Therefore, strengthening capacity and granting clear authority are essential so that the Supervisory Board can carry out its functions without intervention from outside parties, especially local governments. In addition, compliance with applicable regulations and attention to the social dimension of supervision are vital. With recommendations to improve independence, competence and public participation, it is hoped that the Supervisory Board can be more effective in helping PDAM Tirta Moedal provide quality and equitable services to the people of Semarang.

5. Reference

1. N. N. Yuliarmi and P. Riyasa, "Analisis faktor-faktor yang mempengaruhi kepuasan pelanggan terhadap pelayanan PDAM Kota Denpasar," *Bul. Stud. Ekon.*, vol. 12, no. 1, pp. 9–28, 2007.
2. Z. Hidayat and M. Taufiq, "Pengaruh Lingkungan Kerja dan Disiplin Kerja serta Motivasi Kerja Terhadap Kinerja Karyawan Perusahaan Daerah Air Minum (PDAM) Kabupaten Lumajang," *Wiga J. Penelit. Ilmu Ekon.*, vol. 2, no. 1, pp. 79–98, 2012.
3. A. Ibrahim and A. Ambarita, "Sistem informasi pengaduan pelanggan air berbasis website pada pdam kota ternate," *IJIS-Indonesian J. Inf. Syst.*, vol. 3, no. 1, pp. 10–19, 2018.
4. S. Hidayani, "Aspek Hukum Perlindungan Konsumen dalam Pelayanan Air Bersih pada PDAM Tirtasari Binjai," 2008.
5. E. AGUSTIN, "PERLINDUNGAN HUKUM TERHADAP KONSUMEN PELANGGAN AIR MINUM PDAM," 2005, Universitas Airlangga.
6. R. A. Tambunan, "Peran Pdam Dalam Pengelolaan Bahan Air Baku Air Minum Sebagai Perlindungan Kualitas Air Minum di Kota Yogyakarta," 2013, UAJY.
7. A. Rahim, W. Jaziroh, S. Pujiah, N. Nerman, and W. Warsudi, "Hubungan Kebijakan Pemerintah Daerah dalam Optimalisasi Anggaran Pendapatan dan Belanja Daerah (APBD) terhadap Peningkatan Taraf Hidup Masyarakat Kabupaten Indramayu," *JiIP-Jurnal Ilm. Ilmu Pendidik.*, vol. 6, no. 4, pp. 2156–2159, 2023.
8. P. T. M. Thalia, "PERLINDUNGAN HUKUM TERHADAP KONSUMEN AIR PDAM TIRTA DHARMA PURABAYA KABUPATEN MADIUN," 2022, UNIVERSITAS ATMA JAYA YOGYAKARTA.
9. R. Amalia, H. Hafrida, and E. Siregar, "Perbandingan Pengaturan Tindak Pidana Kekerasan dalam Rumah Tangga dalam Hukum Pidana Indonesia dan Hukum Pidana Malaysia," *PAMPAS J. Crim. Law*, vol. 2, no. 2, pp. 1–14, 2021, doi: 10.22437/pampas.v2i2.13334.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

