

ABSTRAK

DESKRIPSI TENTANG PEMBERHENTIAN APARATUR SIPIL NEGARA

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Penelitian ini membahas tentang penyelesaian sengketa Pemberhentian Aparatur sipil Negara Rumusan masalah pada penelitian ini adalah: 1) Mengapa Hakim pengadilan tata usaha negara menjatuhkan putusan mengabulkan gugatan penggugat dalam sengketa Pemberhentian Aparatur sipil Negara? 2) Mengapa Hakim pengadilan tata usaha negara menjatuhkan putusan menolak gugatan penggugat dalam sengketa Pemberhentian Aparatur sipil Negara? Tujuan penelitian yaitu: 1) Untuk mengetahui alasan hakim pengadilan tata usaha negara menjatuhkan putusan mengabulkan gugatan penggugat dalam sengketa pemberhentian Apratur sipil Negara 2) Untuk mengetahui alasan hakim pengadilan tata usaha negara mejatuhkan putusan menolak gugatan penggugat dalam sengketa Pemberhentian Aparatur sipil Negara. Sifat penelitian yang digunakan oleh calon peneliti,dalam penelitian ini adalah bersifat deskriptif, Jenis Penelitian ini adalah Penelitian hukum normatif. Variable bebas dalam peneletian ini adalah alasan Hakim Pengadilan Tata Usaha Negara mengabulkan gugatan penggugat dalam sengketa Pemberhentian Aparatur sipil Negara dan menolak gugatan penggugat dalam sengketa Pemberhentian Aparatur sipil Negara.Variabel terikat dalam penelitian ini adalah putusan pengadilan tentang pemberhentian aparatur sipil negara.

Berdasarkan Hasil penelitian ini Alasan PTUN mengabulkan gugatan penggugat yaitu: 1). Penerbitan objek sengketa tidak memenuhi aspek kewenangan, aspek prosedur dan aspek substansi. 2). dan penerbitan objek sengeketa bertentangan dengan asas-asas umum pemerintahan yang baik. Alasan hakim pengadilan PTUN Menolak gugatan penggugat yaitu: 1). Penerbitan objek sengketa sudah sesuai dengan aspek kewenangan, aspek prosedur, dan aspek substansi. 2). Penggugat terbukti melakukan penyalahgunaan wewenang dan melakukan pelanggaran kode etik. Berdasarkan Kesimpulan maka penulis dapat memberikan saran sebagai berikut : 1). Bagi instansi pemerintah dalam hal ini pejabat atau pejabat TUN dalam menerbitkan Keputusan TUN harus memperhatikan aspek kewenangan, Aspek prosedur dan aspek substansi dan asas-asas umum pemerintah yang baik.Bagi 2.) Aparatur sipil Negara dalam menjalankan tugas harus memperhatikan kode etik dan kode perilaku.

Kata Kunci: Aparatur Sipil Negara, Keputusan Tata Usaha Negara

ABSTRAC

DESCRIPTION OF DISMISSAL OF STATE CIVIL SERVANTS

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This study discusses the settlement of disputes over the Dismissal of State Civil Apparatus. The formulation of the problem in this study is: 1) Why did the Judge of the State Administrative Court make a decision granting the plaintiff's lawsuit in the dispute of the Dismissal of the State Civil Apparatus? 2) Why did the Judge of the State Administrative Court make a decision rejecting the plaintiff's lawsuit in the dispute over the Dismissal of the State Civil Apparatus? The objectives of the research are: 1) To find out the reason why the judge of the state administrative court issued a decision granting the plaintiff's lawsuit in the dispute over the dismissal of the State civil apparatus 2) To find out the reason why the judge of the state administrative court issued a decision rejecting the plaintiff's lawsuit in the dispute over the dismissal of the State civil apparatus. The nature of the research used by prospective researchers, in this research is descriptive, this type of research is normative legal research. The independent variable in this study is the reason why the Judge of the State Administrative Court granted the plaintiff's lawsuit in the dispute over the Dismissal of the State Civil Apparatus and rejected the plaintiff's lawsuit in the dispute of the Dismissal of the State Civil Apparatus. The binding variable in this study is the court decision on the dismissal of the State Civil Apparatus. Based on the results of this study, the reasons for the PTUN to grant the plaintiff's lawsuit are: 1). The issuance of the object of dispute does not meet the aspects of authority, procedural aspects and substance aspects. 2). and the issuance of disputed objects is contrary to the general principles of good governance. The reasons for the PTUN court judge to reject the plaintiff's lawsuit are: 1). The issuance of the object of dispute is in accordance with the aspects of authority, procedural aspects, and substance aspects. 2). The plaintiff is proven to have abused authority and violated the code of ethics. Based on the conclusion, the author can give the following suggestions: 1). For government agencies, in this case, TUN officials or officials in issuing TUN Decisions must pay attention to aspects of authority, procedural aspects and aspects of substance and general principles of good government. Divide 2.) State civil servants in carrying out their duties must pay attention to the code of ethics and code of conduct.

Keywords: : State Civil Apparatus, State Administrative Decisions