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Government Advertising in India: The Need for Regulation and Accountability

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INTRODUCTION

State-sponsored advertisements are a vital part of public communication, facilitating the release of important information on policy initiatives, developmental schemes, and national projects. Nevertheless, using public funds for this purpose needs to be supported by values of transparency, accountability, and non-partisanship. In India, issues involving the disproportionate use of financial resources on state-sponsored advertisements—more so, near the time of elections—have initiated widespread controversies regarding the use of public funds for political gain. Oversight of government advertising by the Central Bureau of Communication (CBC), which is an agency working under the Ministry of Information and Broadcasting. The CBC not only plans the creative production and dissemination of government ads but also decides their distribution between print, television, and online media. Albeit the claimed purpose of public awareness, the sudden increase in advertisement expenditure during election years brings into question the very essence of whether such spending is used for actual informational purposes or acts as secret political campaigns subsidized by the state. To counter political abuse of government advertisements, the Central Content Regulation and Grievance Authority (CCRGA) was established in 2016, after a Supreme Court directive in *Common Cause vs. Union of India*. Although the CCRGA is nominally a watchdog against the abuse of public money in advertising, its usefulness is still limited by constraints in enforcement powers and the absence of clear spending limits. This paper looks at the economic and regulatory aspects of government advertising in India, critically analyzes its weaknesses, and suggests a strong legal framework to avoid the politicization of state-sponsored communication.

Government Advertising in India: Structure and Expenditure

The institutional setup for government advertising in India is rooted in the Central Bureau of Communication, which acts as the central coordinating agency to implement advertising campaigns on behalf of the different ministries and public sector undertakings.

The CBC performs a central role in the preparation, production, and dissemination of state sponsored broadcasts, making information on government policy available to the general public through various mediums. The payment for these advertisements is made out of the Union Budget, where direct allocations are given to the Ministry of Information and Broadcasting. Other ministries as well as government/public sector establishments remit finance funds to the CBC to make possible the implementation of focused campaigns of advertisements. The economic scale of government advertising has remained in the forefront of public scrutiny. In the fiscal year of 2022-23, the central government spent around ₹380 crore on advertisement campaigns. But what is most disquieting is the huge surge in spending in years when elections are held. In the run-up to the 2024 General Elections, the CBC started as the biggest political spender on Google in India, spending a staggering ₹387 million on digital ads alone. This amount outpaced even major political parties' digital ad spend, thus evoking serious doubts regarding the moral implications of leveraging public funds for possibly partisan ends. The aggregation of such huge amounts of spending during the pre-election time implies a pressing requirement for increased regulatory oversight to ensure that state-sponsored advertisements do not become surrogate tools of electioneering.

Regulatory Framework and Its Limits

The regulation of government advertising in India is nominally governed by the Central Content Regulation and Grievance Authority (CCRGA), which has been established in 2016 as a result of the Supreme Court's intervention. The CCRGA is responsible for ensuring that government advertisements remain in line with principles of non-partisanship and public interest, instead of being used as political propaganda. The regulatory agency consists of three members and has the power to review the advertisements released by the central government and state governments and to enquire into complaints regarding violations of guidelines that have been put in place. Even though such a regulatory machinery exists, the effectiveness of the CCRGA is still limited by a number of reasons. Although it has the mandate to regulate the content of adverts, it does not have the authority to place monetary limits on government expenditure in this area. As a result, there are no legislative caps on the level of public money that can be spent on advertising, and this creates a regulatory void that facilitates wanton spending without effective controls.

In addition, the available enforcement powers of the CCRGA are limited, as it can only make recommendations but does not have the punitive power to enforce penalties on infractions. Moreover, although some states have set up their own committees to govern government advertising, the lack of uniformity in these structures leads to inconsistencies in regulatory enforcement across jurisdictions.

These structural flaws highlight the need for a more rigid and unified regulatory framework to maintain the prudent spending of public funds on government advertising.

Election-Time Advertising and Political Neutrality

Perhaps the most controversial part of government advertising is its acute surge during election times, which sparks basic issues over political neutrality. The sharp spike in spending on digital ads in the run-up to the 2024 General Elections becomes a stark example of this phenomenon. The CBC's record online advertising expenditure during this time not only surpassed that of all dominant political parties but also obfuscated public communication and electoral manipulation. This trend has the potential to create valid fears that advertisements funded by the government, as opposed to solely fulfilling informative goals, might be intentionally used for manipulating public opinion in the direction of the governing tabloid.

The absence of explicit legal safeguards to prevent such practices represents a profound vulnerability in the existing regulatory framework. In democratic systems, state-sponsored advertising must be insulated from partisan influences to maintain the integrity of electoral processes. Consequently, there is an urgent need for comprehensive reforms that impose clear restrictions on government advertising expenditure during election periods, thereby preempting the potential misuse of public resources for electoral gains.

Comparative Analysis: Global Best Practices in Government Advertising

A comparative analysis of global regulatory environments finds that nations like Australia and Canada have put in place stringent monitoring mechanisms to check the abuse of government advertising. In Australia, for example, the Independent Communications Committee (ICC) has the mandate to scrutinize every government advertising campaign costing more than AUD 250,000 to guarantee compliance with standards of transparency and impartiality. Further, government ads in Australia are under strict public monitoring and parliamentary scrutiny, which act as deterrents for their possible politicization.

Canada and the United States have set strict norms of transparency, such as mandatory financial audits and monitoring by autonomous agencies, to bar the misuse of public funds for electoral gains. The most important lesson India can derive from these regulatory models is the need to establish an independent monitoring agency vested with both content control and spending oversight, thus preventing the danger of partisan abuse.

Conclusion

Government advertising, when conducted honestly, is an important tool for public education and policy transmission. But the discretionary and unrestrained character of government spending on advertising in India makes it vulnerable to political abuse. Though the creation of the CCRGA was a move towards content regulation, the lack of legally mandated spending limits and enforcement provisions severely detracts from its effectiveness.

Learning from global best practices, India needs to create an independent regulatory body with the authority to pre-approve large-scale advertising campaigns, impose financial limits, and carry out independent audits. It is only through such steps that government advertising can be freed free from partisan biases and in conformity with the spirit of transparency, accountability, and democratic fairness.

References

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