



GOVERNMENT OF KERALA

Abstract

INFORMATION & PUBLIC RELATIONS DEPARTMENT—GOVERNMENT ADVERTISEMENT—
CONTENT REGULATION—REVISION OF THE EXISTING POLICIES, PROCEEDINGS,
GUIDELINES—JUDGMENT DATED 13-5-2015 OF HON'BLE SUPREME COURT
IN WP(C) No. 13 OF 2003 WITH WP(C) No. 197 OF 2014 AND
WP(C) No. 302 OF 2012 AND JUDGMENT DATED 18-3-2016 OF
HON'BLE SUPREME COURT IN REVIEW PETITION (CIVIL) NOS.
1879-1881/2015 IN WP(C) NOS. 13/2013, 197/2004
AND 302/2012—COMPLIED—ORDERS ISSUED

INFORMATION & PUBLIC RELATIONS (D) DEPARTMENT

G O. (P) No. 4/2021/I&PRD. Dated, Thiruvananthapuram, 28th April, 2021.

- Read:*—1. G. O. (P) No. 8/99/I&PRD, dated 7-7-1999.
2. G. O. (P) No. 2/2020/I&PRD, dated 10-12-2020.
3. G. O. (P) No. 3/2021/I&PRD, dated 26-2-2021.
4. Judgment dated 13-5-2015 of Hon'ble Supreme Court in Writ Petition (civil) No. 13 of 2003 with WP(C) No. 197 of 2014 and WP(C) No. 302 of 2012.
5. Judgment dated 18-3-2016 of Hon'ble Supreme Court in Review Petition (civil) Nos. 1879-1881/2015 in Writ Petition (civil) No. 13 of 2003 with WP(C) No. 197 of 2014 and WP(C) No. 302 of 2012.

ORDER

The Government have issued the policies, proceedings and guidelines related to government advertisements issued for publication in the print media as per G.O. read as 1st paper above. These policies, proceedings and guidelines were revised and amended contemporarily as per G.O. read as 2nd paper above. The Government have issued the policies and guidelines related to the Government advertisement issued for telecasting in the television channels as per G.O. read as 3rd paper above. In addition to this; various proceedings, circulars, office orders were issued from time to time by this department relating to the content regulation of government advertisements, creative designing/production of creatives and usage of photographs in the government advertisements etc.

In order to prevent the arbitrary use of public funds for advertising by the public authorities to project particular personalities, parties or Governments without any attendant public interest and to exclude the possibility of any misuse of the public funds on advertisement campaigns in order to gain political mileage by the political establishment and also to ensure that all Government activities satisfy the test of reasonableness and public interest particularly while dealing with public funds and property, the Hon'ble Supreme Court have issued judgments related to the content regulation of government advertisements as per 4th and 5th papers read above.

The Government have examined matter in detail and hereby issue orders by integrating and by amending all the previous orders issued earlier in relation to the content regulation of government advertisements and also by incorporating the guidelines on the content regulation of government advertising issued by the Hon'ble Supreme Court. This order shall supersede all the previous orders and guidelines in this regard. The applicability of these guidelines is to all government advertisements other than classified advertisements in all medium of communication, thereby including internet advertising. These guidelines shall apply to all government institutions, public sector undertakings, local bodies and other autonomous bodies/organisations established under a statute.

THE PRINCIPLES OF CONTENT REGULATION (incorporating the judgments of the Apex Court in this regard and previous orders issued by this department).

While placing advertisements or purchasing advertising space in any media, the Government should follow the principles, namely:—

(1) Advertising campaigns to be related to Government responsibilities

While it is the duty of the Government to provide the public with timely, accurate, clear, objective and complete information about its policies, programmes, services and initiatives since the public has a right to such information, the content of government advertisements should be relevant to the governments' constitutional and legal obligations as well as the citizens' rights and entitlements.

(2) Advertisement materials should be presented in an objective, fair and accessible manner and be designed to meet the objectives of the campaign

- (i) The material shall be presented in a fair and objective manner and shall be capable of fulfilling the intended objectives;
- (ii) Government shall exercise due caution while deciding the content, layout, size and design of the message including the target area and the creative requirement of the intended communication in order to ensure that the maximum reach and impact are achieved in the most cost effective manner;
- (iii) Content of advertisement must enable the recipients of the information to distinguish between facts and analysis and where information is presented as a fact, it should be accurate and verifiable;
- (iv) Pre-existing policies, products, services and initiatives should not be presented as new unless there has been a substantial change or modification of such policies, products and services;

