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From Promise to Practice: Regulatory Pathways for Ecotourism in Sikkim: A Study-

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Abstract

Sikkim occupies an unusual position in the landscape of Indian tourism: simultaneously celebrated as the country's first fully organic state and burdened by an increasingly strained ecological carrying capacity. This article assesses the opportunities and threats posed by ecotourism in Sikkim, situates them within the state's evolving legislative and governance framework, and evaluates the extent to which recent policy innovations, particularly the Sikkim Registration of Tourist Trade Act 2024 and the Tourism Sustainable Development (TSD) Fund, are adequate responses to the structural contradictions that mass tourism continues to generate. Drawing on official statistics, community-level empirical studies, and comparative analysis of analogous mountain tourism regimes, the article argues that Sikkim's regulatory turn is directionally sound but institutionally thin. Carrying capacity thresholds remain administratively asserted rather than scientifically determined; revenue from the TSD Fund is manifestly insufficient at current collection rates; and the decline in high-yield foreign tourist arrivals is being obscured by headline domestic footfall figures. The article concludes with recommendations for integrated sustainability governance that move beyond numerical targets toward genuine ecological and socio-cultural protection.

Keywords:

Ecotourism Governance; Carrying Capacity Regulation; Mountain Tourism Law; Sustainable Development Fund; Community-Based Ecotourism; Climate Vulnerability and Tourism Infrastructure; Integrated Sustainability Governance

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I. Introduction

In 2025, Sikkim recorded over 1.7 million tourist arrivals, a record figure that obscures a more troubling reality: the state's most ecologically valuable destinations are approaching the limits of what their natural systems can absorb. The global tourism sector grew by roughly 41 per cent in 2022 and was projected to reach approximately USD 2.29 trillion in 2023, with ecotourism constituting an increasingly significant share of that expansion. Yet aggregate figures of this kind conceal as much as they reveal. The interesting question, the one this article attempts to answer, is not whether Sikkim receives tourists, but whether the particular form of tourism the state is attracting is ecologically sustainable, economically equitable, and institutionally governable over the medium term.

The concept of ecotourism itself is older than most of Sikkim's current legislation. The term was coined in 1983 by Hector Ceballos Lascuráin, a Mexican environmentalist, and subsequent decades produced a proliferation of definitions, each calibrated to the normative priorities of the institution producing it². The World Tourism Organisation defines ecotourism as tourism involving travel to 'relatively undisturbed natural areas' to study, admire, and experience scenery, wildlife, and cultural heritage.³ The IUCN offers a broadly consistent formulation, emphasising conservation promotion, low visitor impact, and the beneficial socio-economic involvement of host populations.⁴ The International Ecotourism Society, for its part, stresses the sustained well-being of local people as a non-negotiable condition of any responsible natural-area visit.

This multitude of definitions reveals not consensus but a set of contested priorities: conservation, community benefit, and visitor restraint. Each is normatively attractive; each is, in practice, measured differently and pursued with varying rigour by different institutional

²Ceballos-Lascuráin, H., The future of "ecotourism," *Mexico Journal*, Jan. 13–14, 1987. Note that 1983 is the commonly cited coinage date while 1987 is the first published use.

³Guidelines for Tourism in Parks and Protected Areas (IUCN 1990); or Ceballos Lascuráin, H., *Tourism, Ecotourism, and Protected Areas* (IUCN 1996).

⁴ANDECO, Ecotourism, <https://www.ecoturismoenandalucia.org/Eng/ecotourism.php> (visited Oct. 5, 2023).

actors. The conceptual slippage between these commitments is, as subsequent sections demonstrate, exploited by governance frameworks that adopt the vocabulary of ecotourism without its substance. Bhutan's 'low volume, high yield' policy is instructive here: it deploys the normative vocabulary of ecotourism to justify structural limits on tourist inflows, protecting both the ecological integrity and the cultural coherence of a biologically sensitive territory.⁵ Sikkim has developed its own statutory definition: ecotourism constitutes 'a form of tourism that involves travelling to natural areas with the specific objectives of learning, admiring, and enjoying nature and its wild plants and animals, as well as local people's cultural aspects, including religious monuments, while conserving the natural and social environment, and improving the welfare of the local people.'⁶ This definition is admirable in its comprehensiveness. Whether it has been matched by proportionate governance capacity is a rather different question, and forms the central preoccupation of this article.

The argument proceeds in six parts. Section III situates Sikkim within its ecological and typological context, mapping the forms of tourism the state sustains and the biodiversity that underwrites its tourism value. Section IV examines the threats that unregulated tourist inflows generate, including ecological degradation, biopiracy, cultural disrespect, and climate-linked infrastructural vulnerability. Section V analyses the legislative and digital governance architecture Sikkim has assembled since 2024. Section VI provides a community-level evaluation of existing ecotourism practice using the Triple Bottom Line framework. Section VII synthesises these findings into a broader argument about the conditions necessary for integrated sustainability governance, before the conclusion draws out the policy implications.

II. Methodology

This article adopts a doctrinal-policy analytical method. The primary aim is to assess Sikkim's emerging tourism governance architecture against the normative standards that sustainable tourism scholarship has developed, drawing on statutory texts, official policy documents, and empirical studies of community-level outcomes. The approach is analytical rather than empirical in the primary-research sense: no fieldwork was conducted, and no original survey data were generated for this study.

⁵Nyaupane, G.P. and Timothy, D.J., Bhutan's Low Volume, High Yield Tourism: The Influence of Power and Regionalism, Travel and Tourism Research Association, <https://scholarworks.umass.edu/cgi/viewcontent.cgi?article=1490&context=ttra> (visited Oct. 6, 2023).

⁶Sikkim Eco Tourism Policy, Government of Sikkim, Dep't of Forest (2011).

Sources were selected through a structured secondary-data synthesis method. Legislative materials, including the Sikkim Registration of Tourist Trade Act 2024 and the Tourism Sustainable Development Fund Rules 2025, were retrieved from official government repositories. Statistical data on tourist arrivals, biodiversity, and waste management were drawn from government reports, peer-reviewed journal articles, and news sources of record, each assessed for reliability and proximity to primary data. Academic literature was identified through database searches of Google Scholar, HeinOnline, and JSTOR, using the search terms ‘ecotourism governance’, ‘mountain tourism carrying capacity’, ‘Himalayan tourism law’, ‘sustainable tourism policy India’, and related combinations. Sources are cited in OSCOLA format throughout.

A comparative reference framework is employed at two levels. At the macro level, Bhutan’s ‘low-volume, high-yield’ tourism regime is used as an aspirational comparator, given its structural and geographic proximity to Sikkim and its more advanced institutional development. At the sub-national level, selective reference is made to the Himachal Pradesh and Uttarakhand models where the regulatory literature permits comparison. No claim is made that these comparisons are exhaustive or that the governance lessons transfer without qualification.

The article’s limitations deserve honest acknowledgement. The absence of primary empirical data means that community-level findings depend on a single peer-reviewed comparative study;⁷ while that study is methodologically sound, replication across a wider sample would strengthen the conclusions drawn. Official statistics on tourist arrivals are drawn from government and media sources rather than independently verified datasets, and some figures, particularly the carrying capacity threshold, are treated as government assertions rather than scientifically validated benchmarks. The analysis reflects conditions as reported up to March 2026 and does not capture regulatory developments after that date.

III. Sikkim as an Ecotourism Destination: Ecological Context and Tourism Typology

A. Biodiversity and Ecological Significance

⁷Gurung, Deepa and Mohanty, Ashish, Community Based Ecotourism of Sikkim: Progressing Sustainability through the Triple Bottom Line Approach, 23 *Lex localis – J. Local Self Gov’t* 6645 (2025).

Sikkim's claim to ecotourism distinction rests, in the first instance, on an objective ecological reality. Despite its small territorial extent of just 7,096 km² (0.22% of India's area), the state encompasses dramatic altitudinal variation from 280 m to 8,586 m, supporting 9 major forest types and exceptionally rich biodiversity. The state contains approximately 4,500–5,000 flowering plant species (including 550–556 orchid species) and over 1,200 known faunal species, including 144 mammals, 550–552 birds, 48 fish, 600+ butterflies, and numerous reptiles and amphibians. The state is home to 28 mountain peaks (including Kanchenjunga at 8,586 m), more than 80 glaciers, 227 high-altitude lakes, five major hot springs, and over 104 rivers and streams. This is, by any measure, an extraordinary concentration of natural capital in a geographically compressed area. The Ministry of Tourism and Culture of the Government of India recognised this when it recommended designating the North District of Sikkim as an Ecotourism Zone on account of its status as a biological hotspot.⁸ The practical implication of such biological richness is that the state's tourism value is fundamentally dependent on the integrity of its natural systems. Degrade the ecology, and you degrade the product. This is not a novel insight, but it is one that tourism governance in Sikkim has been slow to internalise at the level of enforceable carrying capacity limits.

B. Tourism Typologies in Sikkim

The trajectory of tourist destination development in Sikkim is usefully mapped against Butler's Tourism Area Life Cycle (TALC) model, which identifies six stages of resort evolution: exploration, involvement, development, consolidation, stagnation, and post-stagnation decline or rejuvenation⁹. Sikkim exhibits characteristics of the consolidation-to-stagnation transition: tourist numbers are high and still growing, the local population is increasingly ambivalent about the costs tourism imposes, and there are early signs of environmental capacity being tested. The model is not deterministic; decline is not inevitable, but it does suggest that without deliberate policy intervention, the trajectory is unlikely to self-correct. McCool and Lime's critique of carrying capacity as a governance concept is relevant here: they argue that a single numerical threshold fails to capture the dynamic and context-specific character of tourism impacts, and that limits of acceptable change (LAC) frameworks are more defensible than static capacity ceilings.¹⁰ The Limits of

⁸Adventure Tourism in Sikkim, Dep't of Tourism and Civil Aviation, Gov't of Sikkim, <https://www.sikkimtourism.gov.in/Public/ThingsToDo/adventuretourism> (visited Oct. 4, 2023).

⁹Butler, Richard, The Concept of a Tourist Area Cycle of Evolution: Implications for Management of Resources, 24 *Can. Geographer* 5 (1980).

¹⁰McCool, Stephen and Lime, David, Tourism Carrying Capacity: Tempting Fantasy or Useful Reality?, 7 *J. Sustainable Tourism* 372 (2001).

Acceptable Change (LAC) is a planning and management framework designed to define and maintain acceptable environmental and social conditions in natural recreation areas — particularly wilderness. Rather than asking how many visitors a landscape can physically absorb, LAC was built on a more honest premise: that recreational use always produces some degree of change, and that the real management question is not whether change will occur, but how much change is acceptable¹¹. Sikkim's governance framework, in asserting a fixed daily carrying capacity figure without a published scientific methodology, illustrates precisely the governance shortcoming that McCool and Lime identify.

Tourism in Sikkim does not arrive in a single form, and conflating its various manifestations produces analytical confusion. Five principal typologies are discernible, each with distinct ecological and governance implications.

Pilgrimage and religious tourism draw substantially on Sikkim's Buddhist and Hindu heritage. Gurudongmar Lake, centuries-old monasteries in all four districts, the Solophok Char Dham complex, the Guru Rinpoche Statue at Samdrupste, and the Chenrezig Statue at Pelling collectively represent a devotional landscape that attracts large volumes of visitors, particularly from West Bengal, Nepal, and Bhutan.¹² The management challenge here is distinct: religious sites are simultaneously sacred spaces and tourist attractions, and the tensions between these functions generate particular forms of cultural degradation that will be addressed below.

Adventure tourism exploits Sikkim's extraordinary terrain through paragliding, river rafting, zip-lining, and trekking on some of the country's most technically demanding routes. Wildlife tourism is premised on the state's unparalleled faunal diversity, though it remains underdeveloped: of the one national wildlife park and seven sanctuaries, only the Varsey Rhododendron Sanctuary and FambongLho Sanctuary have achieved meaningful visitor recognition beyond the state.¹³ Natural area tourism, the draw of snow peaks, temperate forests, and clean air, accounts for the largest share of domestic visitor motivation, while

¹¹George H. Stankey et al., *The Limits of Acceptable Change (LAC) System for Wilderness Planning*, Gen. Tech. Rep. INT-GTR-176 (U.S. Dep't of Agric., Forest Serv., Intermountain Forest and Range Experiment Station 1985).

¹²Sikkim Pilgrimage Tourism, Dep't of Tourism and Civil Aviation, Gov't of Sikkim, <https://www.sikkimtourism.gov.in/Public/ThingsToDo/pilgrimage> (visited Oct. 5, 2023).

¹³Wildlife, Forest, Environment and Wildlife Dep't, Gov't of Sikkim, <https://sikkim.gov.in/departments/forest-environment-and-wildlife-department/wildlife> (visited Oct. 6, 2025).

ecotourism in the strict sense is generally traced to the state's initiatives beginning in 1996–97.¹⁴

The critical distinction, one that structures the analysis throughout, is between ecotourism properly conceived and mass tourism. Mass tourism concentrates large groups at high-traffic urban centres, tolerates environmental cost, prefers budget pricing, and maintains an anonymous relationship with host communities.¹⁵ The majority of visitors currently arriving in Sikkim satisfy these criteria far more than they satisfy the criteria of ecotourism. That 858,506 tourists arrived in just the first half of 2023 alone¹⁶, with the actual proportion engaging in genuine ecotourism unquantified and almost certainly small, signals a fundamental tension at the heart of Sikkim's tourism identity.

IV. Threats to Sustainable Ecotourism in Sikkim

A. Ecological Overuse and Carrying Capacity Violations

The most structurally significant threat to ecotourism in Sikkim is the degradation of the very ecological assets on which the tourism economy depends. Urban centres like Gangtok, Geyzing, and Namchi, and smaller staging towns such as Lachen, Lachung, and Yuxsom, are severely overcrowded during peak tourist seasons, placing acute pressure on water supply, transportation networks, and service infrastructure. The pattern is self-undermining: these towns function as launching points for ecologically sensitive destinations, meaning that the most fragile sites absorb the highest visitor volumes.

The consequences are measurable. Tsomgo Lake, Baba Mandir, Yumthang Valley, and Gurudongmar Lake collectively received 978,101 tourists in 2022.¹⁷ These are high-altitude, ecologically fragile ecosystems; littering, pollution, and habitat degradation have been documented at all of them. The waste management infrastructure is wholly inadequate to the scale of the problem: as of the time of writing, the state operates a single landfill site in East

¹⁴Kamrakar, Dipakar, *Eco Tourism Practices in Sikkim*, 6 Int'l J. Advanced Research in Commerce, Mgmt. and Soc. Sci. 69 (2023).

¹⁵Doroþbanþu, Maria Roxana and Nistoreanu, Puiu, *Rural Tourism and Ecotourism — the Main Priorities in Sustainable Development Orientations of Rural Local Communities in Romania*, 15 *Economy Transdisciplinary Cognition* 259 (2012).

¹⁶Gurung, Bijoy, *Data Shows Tourism Increased This Season: STDC Chairman*, Sikkim Express, Aug. 3, 2023, <https://www.sikkimexpress.com/news-details/data-shows-tourism-increased-this-season-stdc-chairman> (visited Oct. 8, 2023).

¹⁷Pradhan, Sujal, *Sikkim's Popular Tsomgo Lake, Yumthang Valley Registers Record Tourist Footfall in the Year 2022*, India Today NE, Mar. 12, 2023, <https://www.indiatodayne.in/sikkim/story/sikkims-popular-tsomgo-lake-yumthang-valley-registers-record-tourist-footfall-in-the-year-2022-525575-2023-03-12> (visited Oct. 8, 2023).

Sikkim, located adjacent to a rivulet and approaching capacity. Leachate contamination of waterways is an increasingly plausible outcome.¹⁸

It is important to note that only 40 per cent of organic waste is currently processed, and plastics constitute 22 per cent of the total waste stream, significantly above the global average.¹⁹ The seasonal concentration of domestic tourists, now spread across a nine-month window, has extended the pressure on waste systems without resolving the peak-season bottleneck. Urban sprawl, driven in part by tourism infrastructure demand, has consumed significant peri-urban land, and this dynamic is particularly pronounced in the East District, which housed 79.75 per cent of the state's urban population by the 2011 census.²⁰

B. Biopiracy

Sikkim's remarkable biodiversity, while a tourism asset, simultaneously renders it vulnerable to biopiracy. Biopiracy refers to the unauthorized or inequitable appropriation and commercial exploitation of biological resources, including genetic materials, medicinal plants, and organisms, and the traditional knowledge associated with them, derived from indigenous and local communities or sovereign states, without obtaining prior informed consent, without concluding mutually agreed terms for benefit-sharing, and typically without providing fair financial compensation to the country or community of origin²¹. Species endemic to the region are susceptible to extraction by visitors operating under the cover of eco-tourist access. The Sikkim Tourism Department has issued formal advisories to tourism stakeholders, warning of foreign nationals engaged in suspected biopiracy activities.²² This is not an isolated phenomenon: the problem of tourist-facilitated biopiracy recurs across North-Eastern India and reflects a systemic failure of monitoring capacity at ecologically sensitive entry points.²³ The regulatory response to date has been reactive rather than

¹⁸Kumar, Joel, Gangtok: Cleanest City, with a Long Way to Go, The Kodai Chronicle, July 10, 2021, <https://www.thekodaichronicle.com/environment/gangtok-cleanest-city-with-a-long-way-to-go/> (visited Oct. 8, 2023).

¹⁹Rai, Srijana, et al., Sustainable Solid Waste Management Challenges in Hill Cities of Developing Countries: Insights from Eastern Himalayan Smart Cities of Sikkim, India, 2(2) Waste Mgmt. Bull. 1 (2024).

²⁰Rai, Simona and Singh, E. Ishwarjit, Urbanization and Solid Waste Management in Gangtok, Sikkim, 17 J. Himalayan Ecology and Sustainable Dev. 5 (2022).

²¹Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity, Oct. 29, 2010, U.N. Doc. UNEP/CBD/COP/DEC/X/1.

²²Mangar, Nirmal, Sikkim Alerts Tour Operators to Bio Pirates, The Telegraph Online, Jan. 12, 2016, <https://www.telegraphindia.com/west-bengal/sikkim-alerts-tour-operators-to-bio-pirates/cid/1523742> (visited Oct. 8, 2023).

²³Nath, Priyam, A Mini Review on Bio Piracy with Special Reference to NE India, 2 Current Trends in Biomed. Eng'g and Biosciences (2022).

preventive, and the digitisation of permits discussed in Section V provides only a partial solution.

C. Cultural and Religious Desecration

Sikkim is a deeply religious society, and the desecration of sacred sites by uninformed or indifferent tourists represents a threat that extends beyond ecology into the domain of cultural sovereignty. Incidents of tourists urinating near holy places, discarding rubbish at monasteries, and disrupting the peace of sites of active religious practice are recurring.²⁴ The problem is not unique to Sikkim; similar issues have been documented wherever mass tourism meets living religious culture, but the scale of cultural investment in Sikkimese religious landscape makes it particularly acute here. Conflict between local communities and tourists arising from cultural disrespect is a documented and theoretically well-established phenomenon,²⁵ and the absence of systematic pre-visit cultural sensitization in Sikkim's tourism governance framework represents a significant gap.

D. Climate Vulnerability and Infrastructure Fragility

Perhaps the most structurally threatening dimension of Sikkim's tourism sustainability challenge is the intersection of climate change with the state's topographic fragility. Sikkim occupies one of the most climate-vulnerable mountain environments on the planet.²⁶ The Sikkim State Action Plan on Climate Change identified water resources, agriculture, forests, biodiversity, habitats, and transportation as the principal affected domains.²⁷ These are not peripheral concerns; they are the foundations of the tourism economy.

The glacial lake outburst flood of 3–4 October 2023, triggered by the breach of the South Lhonak Lake, demonstrated in catastrophic terms what climate scientists had been warning about for over a decade.²⁸ The event compromised the North Sikkim Highway, a route critical not only to civilian tourism but to the strategic deployment of defence forces in a sensitive

²⁴Indian Tourist Sparks Outrage After He Climbed Atop a Religious Shrine in Bhutan, ScoopWhoop, <https://www.scoopwhoop.com/news/an-indian-tourist-was-detained-bhutan-because-he-desecrated-a-religious-monument/> (visited Oct. 7, 2023).

²⁵Çakır, Ayşe, et al., Is There a Conflict between Local Communities and Tourism? Mardin Sample (2013), https://www.econstor.eu/bitstream/10419/124140/1/ERSA2013_01233.pdf (visited Oct. 6, 2023).

²⁶Tse ring, Karma, Sharma, Eklabya, Chettri, Nakul and Shrestha, Arun, Climate Change Vulnerability of Mountain Ecosystems in the Eastern Himalayas: Synthesis Report, Int'l Ctr. for Integrated Mountain Dev. (2010).

²⁷The Sikkim State Action Plan on Climate Change, Gov't of Sikkim, Dep't of Science and Tech. (2015).

²⁸Mishra, HimanshuShekhar, A Decade Before Sikkim Flash Floods, There Were Warnings, NDTV, Oct. 6, 2023, <https://www.ndtv.com/india-news/sikkim-flash-floods-lhonak-lake-glacial-lake-outburst-floods-glof-very-high-probability-scientists-warnings-in-2013-2021-4453784> (visited Oct. 9, 2023).

border region.²⁹ The Sikkim Member of Parliament has since called for priority approval of a permanent alternative alignment. That this has not yet materialised reflects the wider pattern of infrastructure investment that lags rather than anticipates climate-linked risk.

Water scarcity adds another dimension. An acute shortage in Gangtok in early 2026, attributed to altered rainfall patterns compounded by leaking pipes and inadequate catchment management, raised the possibility of the capital facing the kind of chronic water stress already experienced in Darjeeling and Kalimpong.³⁰ Heavy monsoon landslides repeatedly sever access to North Sikkim, stranding tourists and disrupting the livelihoods of communities dependent on tourism income. The cumulative effect is a destination that is simultaneously marketing itself on its natural beauty and watching that beauty being structurally compromised.

V. The Legal and Digital Governance Framework for Sustainable Tourism

A. The Sikkim Registration of Tourist Trade Act 2024

The Sikkim Registration of Tourist Trade Act 2024³¹ represents the most consequential legislative intervention in the state's tourism governance history. Its central mechanism is a mandatory registration requirement covering hotels, homestays, tour operators, and transportation service providers. The significance of this provision lies in what it makes possible rather than what it directly mandates: a formal, government-maintained registry of tourism actors creates the precondition for systematic monitoring, quality assurance, and compliance enforcement.

The Act reflects a conceptual shift from treating tourism as a purely private economic activity to recognising it as a domain requiring active state stewardship. Whether this conceptual shift is translated into substantive governance capacity depends, as it almost always does in regulatory contexts, on the adequacy of the enforcement machinery. The Act establishes the framework; it does not guarantee its operation. The gap between legislative aspiration and administrative reality will be the central test of this regime's utility.

²⁹Floods in India's Sikkim Kill 10; Dozens, Including 23 Army Soldiers, Missing, Al Jazeera, Oct. 4, 2023, <https://www.aljazeera.com/news/2023/10/4/floods-in-indias-sikkim-kill-10-dozens-including-23-army-soldiers-missing> (visited Mar. 25, 2026).

³⁰Chhetri, Vivek, No Winter Rain, Sikkim Rations Water Supply as Gangtok Faces Acute Scarcity, The Telegraph Online, Feb. 12, 2026, <https://www.telegraphindia.com/states/no-winter-rain-sikkim-rations-water-supply-as-gangtok-faces-acute-scarcity-prnt/cid/2146963> (visited Mar. 5, 2026).

³¹The Sikkim Registration of Tourist Trade Act 2024, Act 23 of 2024.

A dimension of Sikkim's regulatory framework that deserves explicit acknowledgement is its constitutional distinctiveness. Article 371F of the Constitution of India, inserted by the Constitution (Thirty-Sixth Amendment) Act 1975 upon Sikkim's accession to India, confers on the state a set of legislative and governance protections that distinguish it from other Indian states³². Most relevantly for tourism governance, Article 371F(k) empowers Parliament to extend any provision of the Constitution to Sikkim subject to such exceptions and modifications as Parliament may by law provide, and Article 371F(f) gives continuing force to pre-accession laws, including the Sikkim Subjects Regulation 1961 and related instruments governing residency and land rights, unless they are specifically repealed or modified. These provisions have practical relevance for the Sikkim Registration of Tourist Trade Act 2024: the state has legislative competence, grounded in its List II and concurrent list entries as well as in Article 371F, to enact the mandatory registration scheme in the form it has chosen. More broadly, Article 371F has historically supported Sikkim's capacity to maintain regulatory barriers to land acquisition by non-Sikkimese persons, a power that has significant indirect implications for the character of tourism development, and the likelihood of large-scale external hotel investment crowding out community-based models.

B. The Tourism Sustainable Development Fund

The Tourism Sustainable Development (TSD) Fund, established under the Sikkim Registration of Tourist Trade Rules 2025, operationalises a user-pays financing mechanism by collecting a fee of Rs 50 per tourist per overnight stay, processed through the Atithi GIS/App platform. The levy applies to all tourists staying up to 30 days, with exemptions for children under five, government personnel on duty, and local residents.³³

The Fund's intended expenditure categories are well-designed: tourism infrastructure development, visitor management systems, sanitation and waste management programmes, tourism workforce training, and youth skill development. These priorities broadly correspond to the structural deficits identified in Section IV. As of December 2025, however, 280

³²Constitution of India, art. 371F (inserted by the Constitution (Thirty-Sixth Amendment) Act, No. 36, 1975, § 2).

See also *State of Sikkim v. Surendra Prasad Sharma*, (1994) 5 S.C.C. 345; Sharma, O.P., *The Constitutional and Legal Status of Sikkim: A Study in Accession*, 16 *Indian J. Int'l L.* 365 (1976); Sharma, Vineeta, *Article 371F and Sikkim's Legislative Autonomy*, in M.K. Sinha (ed), *Federalism and Autonomy in India* 214 (ManakPubl'ns 2006).

³³Gurung, I., *Sikkim Charges Tourists Rs 50 to Get In to Help Pay for Sustainable Tourism Development*, *Sikkim Express*, Mar. 18, 2025.

registered accommodations had collected approximately Rs 9.98 lakh from 19,969 tourists through the platform.³⁴

The gap between what the Fund is intended to achieve and what it has so far collected is stark. Solid waste management alone, to say nothing of infrastructure resilience and visitor management systems, requires capital expenditure many orders of magnitude greater than current collection rates suggest. The Fund is directionally correct but financially marginal at the present scale. Whether collection rates will increase proportionally with expanded platform adoption, or whether the Rs 50 levy is simply too low to generate meaningful revenue, is a question the government needs to address with some urgency.

The government has rejected allegations of fund misappropriation, clarifying that collections flow directly to government revenue head 1452/TD-800, and that technology service charges are substantially lower than the 40 per cent figure cited in public debate.³⁵ These clarifications are welcome, but the more fundamental question is not one of probity; it is one of adequacy.

C. Digital Governance: The Atithi Platform

The Atithi GIS/App platform functions as the technological infrastructure through which Sikkim's new governance instruments operate. Its capabilities include digital tourist registration, accommodation booking integration, TSD Fund collection and reconciliation, real-time data sharing with law enforcement agencies, and analytics for policy planning.³⁶

The platform's design is sophisticated, and its integration across governance functions is a genuine institutional achievement. A clear service agreement governs its operation, and the government has confirmed that this engagement does not involve unauthorised revenue sharing.³⁷ The critical observation to make, however, is one the government itself would presumably endorse: technology enables governance; it does not substitute for it. The Atithi platform can tell policymakers how many tourists are arriving and where they are staying. It

³⁴Sikkim Tourism Department Rejects Allegations of Fund Misappropriation, ET TravelWorld, Jan. 12, 2026, <https://travel.economictimes.indiatimes.com/news/destination/states/sikkim-tourism-department-rejects-allegations-of-fund-misappropriation/126476504> (visited Mar. 25, 2026).

³⁵Ibid.

³⁶Information to the Public Issued by Tourism and Civil Aviation Department, Gov't of Sikkim, Jan. 10, 2026, <https://www.sikkim.gov.in/media/news-announcement/news-info?name=Information+to+the+Public+issued+by+Tourism+and+Civil+Aviation+Department> (visited Mar. 25, 2026).

³⁷Tourism Dept Clarifies on TSD Collection and Implementation Concerns, Sikkim Express, Jan. 10, 2026, <https://sikkimexpress.com/news-details/tourism-dept-clarifies-on-tds-collection-implementation-concerns> (visited Mar. 25, 2026).

cannot, by itself, determine when that number exceeds ecological carrying capacity, or compel adherence to limits once they are reached.

D. Permit Systems and Foreign Tourist Management

The Ministry of Home Affairs' directive requiring all foreign nationals visiting protected and restricted areas to obtain online clearance, ending the issuance of physical permits, is the intersection of national security and tourism governance.³⁸ The practical effect has been to restrict foreign tourist access to two zones: Tsomgo Lake in East Sikkim and Yumthang Valley with Zero Point in North Sikkim, both requiring prior digital clearance.

The security rationale is beyond question, given Sikkim's sensitive border position. The tourism governance implications, however, warrant attention. Foreign tourist arrivals in 2025 fell by 10,000 to 12,000 relative to the preceding year.³⁹ International visitors tend to stay longer, spend more per day, and engage more consistently with the values that ecotourism claims to embody. A governance framework that inadvertently suppresses this category of arrival while presiding over an increase in domestic mass tourism is moving in the wrong direction, even if for understandable reasons. Digitising the permit process may alleviate some of the bureaucratic friction that previously deterred foreign visitors; this should be treated as a priority rather than an incidental benefit.

VI. Community-Based Ecotourism: A Triple Bottom Line Assessment

The abstract commitments of ecotourism policy are most rigorously tested at the community level, where the distribution of benefits and burdens becomes concrete. Community-Based Ecotourism (CBET) is a sustainable form of tourism in which local communities have substantial control over, and involvement in, its development and management, with a significant portion of economic benefits retained within the community to foster local development and conservation efforts. It is rooted in the principle of responsible travel to natural areas that conserves the environment and improves the well-being of local people. In 2002, the International Year of Ecotourism, the term "community-based ecotourism" was

³⁸No More Physical Permits: Sikkim Mandates Online Clearance for Foreign Tourists, The Times of India, Jan. 12, 2026, <https://timesofindia.indiatimes.com/life-style/travel/news/no-more-physical-permits-sikkim-mandates-online-clearance-for-foreign-tourists/articleshow/126484509.cms> (visited Mar. 25, 2026).

³⁹Sikkim Tourist Arrivals Cross 17 Lakh in 2025 Despite Sharp Drop in Foreign Visitors, The Telegraph, Jan. 7, 2026, <https://www.telegraphindia.com/states/sikkim-tourist-arrivals-cross-17-lakh-in-2025-despite-sharp-drop-in-foreign-visitors/cid/2141489> (visited Mar. 25, 2026).

officially adopted, reflecting a model that protects natural resources, promotes economic development, and reduces poverty in communities⁴⁰. A recent comparative study of three Community-Based Ecotourism (CBET) sites in Sikkim, Darap, Pastanga, and Kitam, using the Triple Bottom Line (TBL) framework, provides the most granular empirical basis currently available for evaluating what community-based approaches actually deliver.⁴¹

The TBL framework evaluates performance across three dimensions: economic viability, environmental sustainability, and social equity. Applied to Sikkim's CBET sites, the framework reveals considerable variation in outcomes depending on governance structures, institutional stability, and site-specific geographic conditions.⁴² This variation is itself informative: it demonstrates that community-based ecotourism is not a self-executing model. The presence of natural assets and a tourism registration framework does not automatically generate equitable or environmentally sound outcomes. The quality of local governance, the accessibility of the site, the coherence of institutional arrangements, and the degree of community ownership of the tourism enterprise all mediate the relationship between policy design and lived outcome.

The implications of this for Sikkim's governance framework are clear. The Sikkim Registration of Tourist Trade Act 2024 and the TSD Fund create conditions that could support community-based ecotourism, but neither instrument directly addresses the governance quality variables that determine whether CBET delivers its promised social and environmental returns. Targeted institutional support for community governance structures, training, capacity building, and accountability mechanisms would strengthen the connection between the legislative framework and community-level outcomes.

VII. Discussion: Towards Integrated Sustainability Governance

A. The Volume-Value Contradiction

The central tension in Sikkim's tourism governance is a familiar one in the literature: the conflict between volume-based metrics of tourism success and value-based metrics of ecological and cultural sustainability. When tourism performance is measured principally by footfall, as it largely is in current official reporting, the policy incentives that follow are

⁴⁰Agnes Kiss, *Is Community-Based Ecotourism a Good Use of Biodiversity Conservation Funds?*, 19 *Trends in Ecology and Evolution* 232 (2004).

⁴¹Gurung, Deepa and Mohanty, Ashish, *Community Based Ecotourism of Sikkim: Progressing Sustainability through the Triple Bottom Line Approach*, 23 *Lex localis – J. Local Self Gov't* 6645 (2025).

⁴²*Ibid.*

inevitably oriented toward volume. Carrying capacity limits become targets to manage around rather than thresholds to enforce. The decline in foreign tourist arrivals, which should be a source of concern given the higher per-visitor economic yield and the greater alignment of international visitors with genuine ecotourism values, is obscured by headline figures showing aggregate domestic growth.

The criticism that celebrating domestic growth while ignoring foreign tourist decline reflects a short-term, numbers-driven mindset⁴³ is not merely rhetorical. It identifies a governance pathology: a framework that has adopted the vocabulary of sustainability while retaining the metrics of mass tourism. If Sikkim is serious about ecotourism as a governance model, it needs to shift the key performance indicators it uses to evaluate tourism policy, away from aggregate arrivals and toward revenue per visitor, ecological condition indices, community livelihood outcomes, and foreign visitor numbers as a proxy for high-yield, values-aligned tourism.

B. Carrying Capacity as a Governance Problem

The government has stated, through press reports of official announcements, that Sikkim can accommodate between 42,000 and 45,000 tourists per day⁴⁴. This figure should be understood for what it is: an administratively asserted threshold rather than a scientifically validated carrying capacity limit. No published methodology, ecological survey, or infrastructure audit has been identified in the available literature that provides the evidential basis for this specific range. In that sense, the figure is consistent with the broader pattern identified in this article: carrying capacity limits in Sikkim are regulatory tools adopted by the government to signal commitment to sustainability, not scientifically determined thresholds derived from ecological and infrastructural assessment. This is not to say that the government's figure is wrong; it may well fall within a defensible range, but it cannot, in its current form, serve as the basis for enforceable legal regulation, and the article treats it accordingly.

Over-concentration of tourism promotion on North Sikkim is a related and serious problem. The district is ecologically fragile, disaster-prone, and infrastructurally under-resourced. A

⁴³Sikkim Tourist Arrivals Cross 17 Lakh in 2025 Despite Sharp Drop in Foreign Visitors, The Telegraph, Jan. 7, 2026, <https://www.telegraphindia.com/states/sikkim-tourist-arrivals-cross-17-lakh-in-2025-despite-sharp-drop-in-foreign-visitors/cid/2141489> (visited Mar. 25, 2026).

⁴⁴Nawdeep Sharma, 'Sikkim records 17.12 lakh tourist footfalls in 2025' (*Sikkim Express*, 7 January 2026) <<https://sikkimexpress.com/news-details/sikkim-records-1712-lakh-tourist-footfalls-in-2025>> accessed 25 March 2026. The figure is reported as a statement attributed to government officials rather than as data from a published methodological study.

single severe weather event can and does sever road access entirely, rendering the area simultaneously dangerous for visitors and economically catastrophic for tourism-dependent local communities. Dispersing tourism promotion more evenly across Sikkim's four districts, marketing the state as a whole rather than concentrating footfall in a single high-profile corridor, would reduce both ecological pressure and economic vulnerability.

Theoretical Frameworks in Sustainable Tourism Governance

Before applying the analytical findings to policy, it is worth situating the article's argument within three theoretical frameworks that have substantially shaped sustainable tourism governance scholarship.

Carrying capacity theory, in its classical formulation, asks how many visitors a destination can absorb before ecological or social harm occurs⁴⁵. The appeal of the concept to policymakers is obvious: it appears to offer a science-based ceiling that can be encoded in regulation. Its limitations, as the Sikkim case illustrates, are equally apparent. Carrying capacity is not a single number but a function of multiple variables, ecological sensitivity, infrastructure capacity, and community tolerance, each of which changes over time and responds to management interventions. Static thresholds of the kind Sikkim currently employs reflect administrative convenience rather than ecological science.

The Triple Bottom Line (TBL) framework, originally developed by Elkington⁴⁶ and subsequently applied extensively in tourism governance literature, evaluates sustainability across three dimensions: economic viability, environmental protection, and social equity. Its analytical utility lies in its insistence that these dimensions be assessed together rather than in isolation. Section VI of this article applies the TBL framework to Sikkim's community-based ecotourism sites and finds that performance varies markedly across the three dimensions depending on local governance quality, a finding that has direct implications for how the state's legislative framework ought to be designed.

The TALC model's contribution to this analysis has been noted above. Its significance for Section VI is that it frames the urgency of the policy interventions this article recommends: Sikkim is at a stage in its destination lifecycle where deliberate governance choices can still redirect the trajectory. That window will not remain open indefinitely.

⁴⁵See generally Buckley, Simon, Carrying Capacity in Tourism: From Theory to Practice, in *Controversies in Tourism* (CABI 2012).

⁴⁶Elkington, John, *Cannibals with Forks: The Triple Bottom Line of 21st Century Business* (Capstone 1997).

C. Conditions for Effective Sustainable Tourism Governance

Sikkim's experience allows the derivation of a provisional set of conditions for sustainable tourism governance that has applicability beyond the state's particular context. Effective governance in this domain requires, first, legally enforceable carrying capacity thresholds based on scientifically determined ecological and infrastructural parameters rather than administratively convenient estimates. Second, it requires dedicated and adequately scaled funding mechanisms directly linked to sustainability outcomes - the TSD Fund is the right instrument, but the current collection rate is not proportionate to the challenge. Third, robust data collection and monitoring systems, of which the Atithi platform is a promising beginning, must be coupled with the institutional capacity and political will to act on the data they generate. Fourth, meaningful stakeholder participation, including genuine community governance authority over ecotourism development at the local level, is indispensable. Fifth, accountability mechanisms that operate independently of the tourism promotion function are necessary to prevent the inherent growth bias of tourism promotion agencies from subverting sustainability targets.

The digitisation of permit systems and the introduction of formal registration requirements represent genuine institutional progress. But institutional progress of this kind is the beginning of effective governance, not its completion. The test will come when visitor numbers exceed carrying capacity thresholds and the political cost of enforcement becomes apparent.

D. Comparative Governance Perspectives: Bhutan, Himachal Pradesh, and Uttarakhand

A comparative perspective sharpens the analysis of Sikkim's governance choices. Three comparators are worth studying for this purpose.

Bhutan's Sustainable Development Fee (SDF), raised to USD 200 per tourist per night in 2022, is the most frequently cited contrast to Sikkim's Rs 50 TSD levy⁴⁷. The structural logic is identical: a user-pays mechanism intended to finance environmental management and discourage low-yield volume tourism. The difference is scalar: Bhutan's fee generates revenue that is plausibly proportionate to the environmental management challenge it addresses. Bhutan also enforces mandatory guided itineraries and pre-approved

⁴⁷Tourism Council of Bhutan, Sustainable Development Fee (Tourism Council of Bhutan 2022), <https://www.tourism.gov.bt> (visited May 18, 2026).

accommodation booking, so that the fee is embedded in a broader system of visitor management rather than operating as a standalone levy. Sikkim's TSD Fund is the right instrument by design; it is not, at the current rate, an adequate one by resource.

Himachal Pradesh's management of the Spiti Valley provides a more contextually proximate comparison. The district attracts significant trekking and cultural tourism, operates within similar ecologically fragile conditions, and has experimented with permit-based visitor management for certain high-altitude zones⁴⁸. The Inner Line Permit requirement that applies to parts of Spiti is broadly analogous to Sikkim's Protected Area Permit system, though the enforcement mechanisms differ. The Himachal Pradesh experience suggests that permit systems without accompanying accommodation registration and waste management infrastructure produce incomplete governance outcomes, precisely the gap that the Sikkim Registration of Tourist Trade Act 2024 is designed to close.

The Char DhamYatra regulation debate in Uttarakhand is instructive for a different reason. Following a series of pilgrim deaths attributable to overcrowding and inadequate medical infrastructure at high-altitude shrines, the Supreme Court of India directed the state to cap daily pilgrim numbers at a scientifically determined figure⁴⁹. The litigation that produced that direction illustrates both the governance failure that results from carrying capacity limits set without scientific methodology and the judicial corrective that can follow. Sikkim's current assertion of a daily capacity threshold without a published scientific basis creates an analogous litigation risk, as well as an analogous governance gap.

VIII. Conclusion

Sikkim stands at a genuine governance crossroads. Its status as India's first fully organic state reflects a real institutional commitment to ecological values. Similarly, the regulatory innovations of 2024–2025, the Registration of Tourist Trade Act, the TSD Fund, and the Atithi platform, represent a serious attempt to align tourism governance with those values. The state's planned Sustainable Rural Homestay Villages, the Eco-Adventure Tourism Theme Park in Namchi district, and the tightening of homestay regulations to require owner-managed properties all signal a coherent directional vision.

⁴⁸Spiti Valley Tourism Management Guidelines, Himachal Pradesh Tourism Development Corp. (HPTDC 2019).

⁴⁹*Vardhaman Kaushik v. Union of India*, W.P. (P.I.L.) No. 81/2014 (Uttarakhand High Court), subsequently referenced in *M.C. Mehta v. Union of India* (Char DhamYatra proceedings); see also *Char DhamYatra Management Order 2023*, Uttarakhand Tourism Dev. Bd. (2023).

The problems, however, are structural, and they are urgent. The TSD Fund's current collection rates are inadequate for the waste management challenge alone. Carrying capacity limits are asserted without robust methodological foundations. The decline in foreign tourist arrivals is being distracted by aggregate domestic growth figures. North Sikkim's ecosystem is being asked to absorb tourist volumes it demonstrably cannot sustain without long-term degradation. And the community-level governance quality that determines whether CBET delivers its promised benefits is not adequately addressed by the existing legislative framework.

None of these problems is insurmountable. Sikkim has the legislative architecture, the institutional motivation, and the ecological assets to build an ecotourism model worthy of the name, one that could, if executed with discipline and rigour, serve as a reference point for other mountain tourism destinations facing analogous pressures. But that outcome depends on moving from aspirational governance to enforced governance: setting carrying capacity thresholds that are scientifically grounded, enforcing them when they are reached, scaling the TSD Fund to match the actual cost of sustainable tourism infrastructure, and measuring policy success by ecological condition and per-visitor value rather than aggregate footfall. Sikkim can be an ecotourism exemplar. Whether it will be is, at this point, a political question as much as a legal or ecological one.

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