

DEEPA BADRINARAYANA
Professor of Law
Chapman University Dale E. Fowler School of Law
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EMPLOYMENT

Chapman University Dale E. Fowler School of Law, Orange, California

Full Professor of Law (2014-current; tenure awarded in 2014); *Associate Professor of Law* (2011-2014); *Assistant Professor of Law* (2008-2011); *Visiting Assistant Professor of Law* (2007-2008)

- Courses taught: Torts, international law, international environmental law, climate change and the law, environmental justice

Columbia University School of Law, New York, New York

Research assistant to Professor Frank P. Grad (2001- 2007)

National Law School of India University, Government of India-World Bank Project on Environmental Capacity-Building (Law Component), Bangalore

Research Officer (1997- 2000) (founding team of CEERA)

Butterworths India, Ltd.

Legal Editor (1997-1998)

FELLOWSHIPS, OTHER POSITIONS

Editor, Brill-International Council on Environmental Law Monograph on International Environmental Law (2020-current)

Expert, ERUSAMUS+ Consortium Project on Climate Change Law and Policy, LL.M., Marwadi University School of Law, Rajkot, Gujarat, India (2021-)

Haub Visiting Scholar, Pace University Elizabeth Haub School of Law (Spring 2021)

Editor, Environment Law Professors Blog (current)

International Board of Advisors, Jindal School of Environment and Sustainability, New Delhi, India

Member, Global Network on Human Rights and Environment (2019-current)

Committee Member, Jacobs Prize Committee, Law and Society (2019-2020)

Member, Organization Committee, South Asian Legal Academics, (2017-current)

AALS Section on Law and South Asian Studies: Member (2013-current), **Chair** (2015-2016)

American Society of International Law, Member (current); **Member, Host Committee**, ASIL Midyear Meeting and Research Forum (2011), **Member and Co-Vice Chair**, Teaching International Law Interest Group (2012-2013)

Member, Women's Climate Change and Energy Network

Member, World Conservation Union, Committee on Environmental Law (1998-current)

Adjunct Professor, Chapman University Wilkinson College of Humanities and Social Sciences, Orange, California MA in International Studies (MAIS) (Spring 2011, 2013-2014)

Visiting Professor, University of California Irvine School of Law, Irvine, California (Spring 2013)

Adjunct Professor, Golden Gate University and the University of Paris Ouest (Nanterre La Defense) Summer Comparative Law Program, Paris, France (Summer 2012)

Environmental Law Fellow, Center for Environmental Legal Studies, Pace University School of Law, White Plains, New York (2006-2007)

Visiting Scholar, Center on Global Legal Problems, Columbia University School of Law, New York, New York (2005- 2006)

Student Member, Association of the Bar of the City of New York, International Environmental Law Committee (December 2005-May 2007)

EDUCATION

Degrees

Doctor of Juridical Studies in Environmental Law (SJD) (2007)

Pace University School of Law, White Plains, NY

Dean's Writing Grant; Pace Law School Scholarship

Masters in Environmental Law (LL.M.) (2001)

Pace University Elizabeth L. Haub School of Law, White Plains, NY

Henry M. Feldschuh Fellow in Environmental Law (full academic scholarship)

Bachelor of Arts and Bachelor of Law (B.A. LL.B. (Hons)) (1997)

National Law School of India University, Bangalore

State Bank of Mysore Scholarship, activities: legal aid clinic

Certificates

Certificate on Global Legal Issues Facing the United Nations: Legal, Humanitarian and Political Perspectives (July 2004)

United Nations Summer Institute of UN Studies and Columbia University School of Law, New York, New York

Full scholarship

Certificate in Training the Trainers in Environmental Law (June 1998) (by invitation)

United Nations Environment Programme, World Conservation Union and Asian Pacific Center on Environmental Law, National University of Singapore, Singapore

Full scholarship

AWARDS AND RECOGNITION

Kennedy Professor of Law (2019-2020)

Curriculum Innovation in Sustainable Development Teaching (with Professor Jason Keller, Schmidt School of Sciences, 2011), Chapman University

PUBLICATIONS

Articles and Short Essays

“A Constitutional Right to International Legal Representation: The Case of Climate Change,” 93 *Tulane Law Rev.* 47 (2018).

“The “Right” Right to Environmental Protection: What We Can Discern from the American and Indian Constitutional Experience,” 43 *Brooklyn International Law Journal* 75 (2017).

“The Jewel in the Crown: Can India’s Strict Liability Theory Deepen Our Understanding of Tort Law Theory?” 55 *UNIVERSITY OF LOUISVILLE L. REV.* 25 (2016).

“GATTING” the New Climate Treaty Right: Leveraging Energy Subsidies to Promote Multilateralism, 39 *FORDHAM INT’L L. J.* 179 (2015).

Trading Up Kyoto: A Proposal to Amend the Protocol, Part I, 41 *B.C. ENVTL. AFF. L. REV.* 1 (2014) (lead article)

India’s State of Legal Education: The Road from NLSIU to Jindal, 63 *Journal of Legal Education* 521 (2014)

The Kyoto Protocol’s Emissions Trading Scheme, Realistic or Unjust Solution for Potential Developing Country Signatories?, 42 *ELR* 11157 (2012) (Publication is derived from a panel discussion on

climate change and justice, at the 2012 Annual Meeting of the American Association of Law Schools, solicited).

Three Climate Crises, 44 *Case Western J. Intl. L.* 435, (2011) (invited symposium piece)

International Law in a Time of Climate Change, Sovereignty Loss, and Economic Unity, Proceedings of the 104th Annual Meeting of the American Society of International Law, 2011

Environmental Challenges of Climate-Nuclear Fusion: A Case Study of India, 29 *UCLA JOURNAL OF ENVIRONMENTAL LAW AND POLICY* 102 (2011)

India’s Integrated Energy Policy: A Source of Economic Nirvana or Environmental Disaster?, 40 *ENVIRONMENTAL LAW REVIEW* 10706 (2010) (peer reviewed journal, solicited)

Global Warming: A Second Coming for International Law?, 85 *WASHINGTON LAW REVIEW* 255 (2010) (Three Degrees Conference Issue, by selection, invited speaker)

Trade, Energy, and Climate Change Policies of BASIC Nations: One Step Closer to an Economic Interest-Based International Law? 2009 *INDIAN YEARBOOK OF INTERNATIONAL LAW AND POLICY* 1 (2010) (peer reviewed journal, solicited)

Transporting India into a New Climate: The Implications for Energy Law and Policy, 40 *CUMBERLAND LAW REVIEW* 125 (2010) (invited symposium piece)

The Emerging Constitutional Challenge of Climate Change: India in Perspective, 19 *FORDHAM ENVIRONMENTAL LAW REVIEW* 1 (2009)

India’s Constitutional Challenge: A Less Visible Climate Change Catastrophe, 1 *JINDAL GLOBAL LAW REVIEW* 213 (2009) (peer reviewed, solicited)

Karma or Dharma: India’s Climate Catch 22, 8 *GERMAN LAW JOURNAL* 327 (March 2008)

To Trade or not to Trade...A Comparison of the Biosafety Protocol and the SPS Agreement, 32 ENVIRONMENTAL LAW REPORTER 10512 (2002) (peer reviewed journal)

Book Chapters

India's climate change mitigation strategy, in ELGAR ENCYCLOPEDIA OF ENVIRONMENTAL LAW, VOL. 1, CLIMATE CHANGE LAW 503-504, (DANIEL A. FARBER & MARJAN PEETERS EDS., 2016)

Financing of Adaptation Measures, in *The Law of Adaptation to Climate Change: U.S. and International Aspects* (Michael Gerrard and Katrina Kuh (eds), ABA Publication (2012)

Introduction to International and Domestic Climate Change Regulation, in *Climate Change, Indigenous Peoples, and the Search for Legal Remedies*, (Randall Abate and Elizabeth Kronk, (eds) (2013)

India's Constitutional Challenge: A Less Visible Climate Change Catastrophe, in CLIMATE CHANGE LAW AND DEVELOPING COUNTRIES, LEGAL AND POLICY CHALLENGES (Benjamin Richardson, Heather McLeod-Kilmurray, and Stepan Wood, eds., (2009)

Book Review

Andree Kirchner (Ed.), International Marine Environmental Law, Institutions, Implementation, and Innovations, in 16.2 REVUE QUEBECOISE DE DROIT INTERNATIONAL (2003)

Op-Ed and newsletters

IPCC Report Drives Urgent Agenda for World on Climate Change, BLOOMBERG LAW, AUGUST 24 (2021)

Paris talks: don't break out the bubbly yet, THE L.A. DAILY JOURNAL, December 17 (2015)

Challenges to Regulating Climate Change, THE L.A. DAILY JOURNAL, April 22 (2010)

The U.S.-India Civilian Nuclear Energy Agreement—Facing an Unclear Future, Homeland Security Committee Newsletter, ABA Section on Environment, Volume 3, No.1 (May 2008)

Works-in-progress

"Getting Environmental Justice "Right," law review article.

"Decolonizing the Atmosphere, Reconceptualizing International Environmental Law," law review article

International Environmental Law and Human Rights, Essay

PRESENTATIONS

Bharat Ka Amrut Mahotsav, National Webinar on World Environment Day, National Law University and Judicial Academy, Assam (June 5, 2021)

Works-in-progress session, Annual Meeting AALS meeting, Section on Environmental Law (commentor, January 7, 2021)

"Comparative Environmental Law," Teachers Training Programme on Environmental Law, Asian Development Bank with JNU and Gujarat NLU (speaker, by invitation, November 27, 2020)

“Reforming International Environmental Law for the Anthropocene?” Annual Meeting of the American Society of International Law (panelist, June 9, 2020)

“COVID and Climate Change,” Earth Day Event, Pace University Elizabeth Haub School of Law (April 24, 2020)

International Conference on Environment and Sustainability: Critical Issues and Solutions and Launch of the Jindal School on Environment and Sustainability, O.P. Jindal Global University and WWF-India (March 12, 2020)

Educating the Future Lawyer: Role of the Law Schools and the Legal Profession in India, Center for Post Graduate Legal Studies, Jindal Global Law School, O.P. Jindal Global University in collaboration with Law School Admission Council (LSAC) (distinguished speaker, by invitation, March 13, 2020)

A Constitutional Right to International Legal Representation, Elements of a “European,” “International,” and “Global” Climate Consensus after Paris, University of Dundee School of Law, Dundee, Fall (panelist, 2019)

The Right to Equal Environmental Protection, The Transformation of Environmental Law and Governance: Innovation, Risk and Resilience, IUCN Academy of Environmental Law, Annual Colloquium, University of Strathclyde, Glasgow (July 2018, selected poster presentation)

Paris, Policy, and The Grid: The Future of Transnational Energy Policy, University of Connecticut International Law Review Symposium, University of Connecticut (April 2018 invited panelist).

The British Raj and the globalization of common law: the Rougher Civilizer of Nations?, Southern California International Law Scholars Workshop (SCILS), UCLA Law School, (September 2018)

Roundtable on Emerging Law of Energy Transition, Annual Meeting of the American Society of International Law (April 2017 invited speaker)

Southern California International Law Scholars Workshop (moderator, paper by Manoj Mate, Reconceptualizing Judicial Supremacy: Insights from the Indian Model) (September 2017)

Divergences in Adjudicating Rights and Cultural Explanations: A Comparison of Constitutional Law Responses to Environmental Justice in the United States and India, Annual Meeting of the Association on Law, Society, Culture, and Humanities, Stanford University School of Law (April 2017) (selected paper presentation)

Comparing Environmental Justice, Symposium on Transnational Law and Contemporary Problems, University of Iowa School of Law (October 2016) (invited speaker).

Equating Environmental Justice, Annual Colloquium on Environmental Scholarship, Vermont Law School (September 2016) (selected paper presentation).

Energy Law, Nexus Symposium (October 23, 2015) (moderator).

Environmental Justice, LATCRIT Annual Conference (October 2, 2015 (panelist by paper selection)

Limits of Constitutional Law, Human Rights Conference, Panel on climate change and human rights, University of Wisconsin School of Law (November 6, 2015) (by invitation)

Environmental Futures, Law and Policy Challenges, AALS Section on South Asian Law and Studies, Annual Meeting of the Association of American Law Schools (January 8, 2015) (organizer and chair)

International Law, Constitutional Rights, and Climate Change, Southern California International Law Scholars Workshop (SCILS), University of California Irvine Law School (September 2015)

Energy Security, Rocky Mountain Mineral Law Foundation, Natural Resources Law Teaching Institute, University of Utah, S.J. Quinney College of Law (May 28, 2015) (by invitation, panelist)

A New Climate Protocol, University of Denver, Seminar Workshop (2014) (by invitation)

A New Climate Protocol, University of Colorado Workshop for Environmental Law Scholars (2014) (paper presentation and commentator, by invitation)

Afflicted by the “Midas Touch”: Challenges to Achieving Sustainable Wealth and Health in India, University of Washington, Seattle, Global Health Law Summer Institute (2014) (by invitation)

Security and the Fifth IPCC Assessment Report, Environmental Law Colloquium (2014) (by invitation)

Inaugural Workshop, South Asian Law Association (SALA) (2014) (by invitation, discussant)

China and India and the Future of Environmental Law, Yale Environmental Law Association (YELA) (2013)

Speaker, Yale Law Women's organization (2013)

The Law of Climate Change: Adaptation and Financing,” Southern California Association of Law Libraries (April 2013) (by invitation)

Legal Reform and Legal Education in South Asia, Annual Meeting of the American Association of Law Schools (January 2013)

Teaching International Law: Principles for Framing a Survey Course, International Law Weekend, Fordham Law School (October 2012)

Challenges to teaching international law from a TWAIL Perspective in relation to BRIC Countries, SALT Teaching Conference and LatCrit/SALT Junior Faculty Development Workshop, University of Maryland School of Law (October 2012)

Trading Up Kyoto, Faculty Workshop, Whittier Law School (September 2012) (by invitation)

Trading Up Kyoto, COTES Workshop, Chapman University School of Law (September 2012)

Leveraging Energy Subsidies, Environmental Scholars Workshop, University of Washington School of Law (July 2012) (by invitation)

Leveraging Energy Subsidies, University of Minnesota School of Law, Workshop on New Directions in Environmental and Energy Law, Policy and Geography (May 2012) (by invitation)

A BRIC in the Wall: Rule of Law Challenges facing Africa, ASIL Conference on Africa and International Law: Taking Stock and Moving Forward, Albany Law School (April 2012) (by paper selection)

International Studies Association, San Diego (April 2012) (moderator and chair of session, by invitation)

Of Two Sovereignties, Expanding Critical Spaces Symposium, Whittier Law School (March 2012) (by invitation)

Leveraging Energy Subsidies, Global Crisis Conference, University of Santa Barbara (March 2012) (by invitation)

Leveraging Energy Subsidies, Junior International Law Scholars Association (JILSA), University of Georgia (February 2012)

The United Nations and Environment on the Eve of Rio 2012, UNA OC Annual Brunch (January 2012) (Keynote speaker, by invitation)

ASIL Mid-Year Meeting, ASIL Research Forum, Environmental Scarcity and Sustainability, (November 2011) (discussant, by invitation)

Legitimacy of Adaptation, Third World Approaches to International Law (TWAAIL), University of Oregon (October 2011)

Climate Justice, Sixteenth Annual LatCrit Conference, San Diego (October 2011)

“Redressing Climate Change in a Different Tort Suit,” Blank Lecture, Chapman University School of Law (September 2011)

“Three Climate Crises,” Frederick K. Cox International Law Center Symposium, “International Law in Crisis,” Case Western Reserve University School of Law (September 2011) (by invitation)

“Redressing Climate Change in a New Tort Suit,” Junior Faculty Forum, University of California Irvine School of Law (September 2011)

“The Influence of Global Trade, Energy, and Climate Change on Local Land Use Policies,” Annual Meeting of the Southeastern Association of Law Schools (July 2011)

“All but Migration: Reconciling Global Trade with Globalization of Climate Change by finding the New “Bottom,”” Law and Society Annual Meeting 2011, San Francisco (June 2011)

“Global Warming and India’s Constitutional Rights,” A3: A Conference on Climate Justice, University of Irvine School of Law (April 2011) (by invitation)

“Governing Climate Change, Achieving Human Security, Sustaining Democracy,” International Studies Association Annual Meeting (March 2011) (discussant, by invitation)

“Nuclear Energy Science and Policy,” Guest Speaker, Environmental Seminar Series, Environmental Science and Policy Course, Chapman University Science Department (Spring 2011) (by invitation)

“Intellectual Property Protection and Food Security,” Guest Speaker, Food Sciences Course, Chapman University Science Department (Spring 2011) (by invitation)

“Climate Change, Nuclear Energy and the Upcoming Governance Challenges,” Law and Society Speaker Series, Suffolk University School of Law, February 2011 (by invitation)

“Litigation and Climate Justice,” Civil Litigation as a Tool for Regulating Climate Change (the 25th Monsanto Proceedings on Tort Law and Jurisprudence,” Valparaiso School of Law (February 2011) (by invitation)

“The Unbreakable Heaviness of Economic Interests in Shaping Climate Law: The Case of India’s Civilian Nuclear Program,” International Economic Law in a Time of Change: *Reassessing*

Legal, Doctrine, Methodology, and Policy Prescriptions, 2010 Biennial Economic Interest Group Conference, American Society of International Law University of Minnesota School of Law (November 2010) (co-organizer of panel)

“Climate Change and Nuclear Energy Policies of India: Setting the Stage for Injustice,” Conference on Environmental Justice, Florida A & M University, School of Law (November 2010) (by invitation)

“The Challenges of Climate Change and Nuclear Energy,” Conference on Globalization in India and the USA: Law, Governance and Business, jointly organized by O.P. Jindal Global University (JGU) and Yale University (October 2010) (by invitation)

“Governance Challenges to Deploying Nuclear Energy to Foster a Green Economy: Focus India,” UNITAR-Yale Conference on Environmental Governance and Democracy, Yale Law School (September 2010) (by selection)

“India’s Nuclear Energy and Challenges to the Environment,” Pace University School of Law (September 2010) (by invitation)

“Briefing Session for Post-Graduate Diploma in Environmental Law,” National Law School of India University, Bangalore, India (June 2010) (by invitation)

“The Copenhagen Accord: Back to the BASICS of Climate Negotiations,” United Nations Association/Orange County and Chapman University, Chapman University (April 2010) (by invitation)

“Energy, Climate Change, and the Law,” Beyond Copenhagen Conference, Chapman University School of Law (April 2010) (organizing committee member, moderator)

“How Best to Engage India post-Copenhagen on Climate Questions,” India and Climate Change, UCLA Law School (April 2010) (by invitation)

“Global Warming: A Second Coming for International Law,” American Society of International Law, Annual Meeting (March 2010) (proposed panel)

“Sovereignty and Climate Change,” Annual Meeting of the American Association of Law and Property, Georgetown Law Center (March 2010)

“Nuclear Energy, Climate Change, and Justice: A Case Study of India,” Symposium on The Intersection of Renewable Energy Development and Geoengineering, Washington and Lee University School of Law (March 2010) (by invitation)

“International Law and Climate Justice,” Fourteenth Annual LatCrit Conference, American University, Washington College of Law (October 2009)

“Global Warming: A Second Coming for International Law?,” Distinguished Lecture, Human Securities Law Program, William and Mary Law School (September 2009) (by invitation)

“Global Warming: A Second Coming for International Law?,” Annual Meeting of the Southeastern Association of Law Schools (August 2009)

“The Silent Ethanol War: Climate or Power Concerns?,” ABRI-ISA Joint International Meeting, Pontifical Catholic University (July 2009)

“Climate Change and India’s Constitutional Challenge,” International Seminar on Climate Change: Law, Policy and Governance, New Delhi (June 2009) (organizer, presenter, and moderator)

“Global Warming, Justice, and International Law,” Conference on the Law of Climate Change and Human Rights, University of Washington School of Law (May 2009) (by invitation)

“The Future of Climate Change Law,” Chapman Earth Day Panel for Celebrating Earth Day: Positive Solutions to a Planetary Crisis, Chapman University (April 2009) (by invitation)

“Transporting India into a New Climate Future,” Transportation Energy Policy in National and Global Perspective: A New Beginning, Cumberland Law School, Samford University (February 2009) (by invitation)

“The Future of Climate Action,” AALS Annual Meeting, Joint Field Trip of the Section on Environmental and Natural Resources Law (January 2009)

“Climate Change: India’s Constitutional Challenge,” Climate Law in Developing Countries: Post-2012, IUCN Academy on Environmental Law, University of Ottawa (September 2009)

“The Future of the Kyoto Treaty: The Effect of the Presidential Election, Geopolitical Considerations Affecting International Cooperation, and the Role of the U.S. Business Community,” Orange County Bar Association International Law Section, Newport Beach, (September 2008) (by invitation)

“Trade and Climate Change: Is There a Path to Sustainable Development under Law?,” Virtual Environmental Law Guest Speaker Series, Mercer Law School (April 2008)

“Global Warming and Corporate Social Responsibility,” Public Lecture Series, Center for Environmental Legal Studies, Pace University School of Law (April 2008) (by invitation)

“The Role of Corporations in Shaping Climate Law and Policy,” Conference on Transnational Corporate Social Responsibility for the 21st Century, George Washington University School of Law (April 2008)

“Globalization, Trade, Human Rights and Climate Change: India in Perspective,” Conference on Law, Poverty, and Economic Inequality, Valparaiso University School of Law (April 2008)

“CBD and Climate, Time to Redefine “Conservation?,” 10th Annual International Wildlife Law Conference, University of Granada (March 2008)

Global Warming Debate, Event sponsored by the Federalist Society as part of a nation-wide teach-in on climate change, Chapman University School of Law (January 2008)

“U.S. and Indian Pollution Control Laws: A Comparative Analysis,” Karnataka State Pollution Control Board, India (December 2007) (by invitation from the Chairman of the Board)

“The Novartis Case and its Impact on the Protection of Traditional Knowledge under TRIPS and Indian Biodiversity Law,” ASIL Seminar on Intellectual Property Protection for Traditional Knowledge, Santa Clara Law School (November 2007)

“Climate Change and International Environmental Justice,” City University of New York Law School (April 2007) (by invitation)

“NAFTA: The Silk Route to Trading Sovereignty?,” Fifth Annual Idaho Symposium on International Law, University of Idaho (March 2007)

“Historic Preservation in India: Legal Challenges,” Columbia University School of Architecture, (December 2004 and December 2002) (by invitation)

SERVICE

University:

Thesis committee member, MA in International Studies (2021-2022); **Committee member**, Global Citizenship Initiative (2020-2021); **Provost Search Committee member** (2020); **Organizing committee member**, Engaging the World Series in Environmental Justice, Wilkinson College of Arts, Humanities, and Social Sciences (2020-2021); **Sustainability Committee member** (2020-current); Faculty Senator (2012); **Committee member**, Governance Council (2012); **Team member** UNFCCC, COP 15, Copenhagen (2009); **Organizing committee member**, “Beyond Copenhagen: An International Conference on Climate Change, April 2010;” Curriculum committee member; MA in International Studies (2008)

Law School:

Organizer, Climate Change Roundtable on COP26 (November 17, 2021); “International Seminar on Climate Change: Law, Policy and Governance,” in collaboration with O.P. Jindal Global Law School and UCLA Centers on Climate Change and on Land Use (2009); “Climate Change and the Future of California Environmental Law” CLE credits (2009); **Committee member**: Appointments committee (2021-2022); Law Review Faculty Board of Advisors (2017-2021); Promotion and Retention (Chair, Fall 2017); Honor Council (2018-2019); Academic Standards; Admissions (2010-2011); Long Range Planning (2013-2014); Career Services (2009-2010); **Faculty mentor**, Jessup Moot Court team; ASIL Institutional Partnership liaison; **Faculty Advisor**, several student organizations (Human Rights Society; South Asian Law; International Law, Environmental Law); **Discussant** junior faculty workshop (2017); **Panelist**, Admissions discussion panels

Professional service:

Dissertation committee member, Doctorate in Juridical Sciences, American University Washington School of Law (2021-); **Selection committee member**, Jacobs Prize, Law and Society (2019-2020); **Commentor**, several workshops, including AALS, Southern California International Law Scholars (SCLIS); **Mentor and reviewer**, South Asian Research Colloquium on Environment and Climate Change organized by JNU and Gujarat NLU, and South Asian University with ADB collaboration; **Peer reviewer** for several journals, publishers, and colleagues (LEAD; Oxford University Press; Cambridge University Press; Arizona State University Jurimetrics Journal; Aspen Publishers; Stanford Journal of Law, Science and Policy; Edward Elgar Publishers)

BAR ADMISSIONS

State of Karnataka, India (retired)

LANGUAGES

Proficient in reading, writing, and speaking English, Hindi, and Kannada. Proficient in speaking Tamil