



EUROPEAN COMMISSION  
DG Competition

***Case M.9201 - SIEMENS / TUTPL / SPC JV***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERCER PROCEDURE**

---

Article 6(1)(b) NON-OPPOSITION  
Date: 09/01/2019

***In electronic form on the EUR-Lex website under document  
number 32019M9201***



## EUROPEAN COMMISSION

Brussels, 9.1.2019  
C(2019) 128 final

PUBLIC VERSION

### To the notifying parties

**Subject: Case M.9201 - SIEMENS / TUTPL / SPC JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 4 December 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Siemens Aktiengesellschaft (Germany), ('Siemens'), and TRIL Urban Transport Private Limited (India) ('TUTPL'), controlled by Tata Sons Private Limited, acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the undertaking SPC (India) by way of purchase of shares in a newly created company constituting a joint venture.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Siemens: electrification, automation, digitalization, energy-efficient technologies, systems for power generation and transmission, and systems for medical diagnosis.
  - for TUTPL: development of urban transport, infrastructure facilities and real estate.
  - for SPC: construction, implementation, operation and maintenance of the rail system ('Metro Line 3') of 23,33 km in Pune (India) which will connect Hinjewadi to Shivajinagar.

---

<sup>1</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 454, 17.12.2018, p. 21.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*

*Johannes LAITENBERGER*  
*Director-General*

---

<sup>4</sup> OJ C 366, 14.12.2013, p. 5.