



EUROPEAN COMMISSION
DG Competition

***Case M.11250 - RELIANCE / BROOKFIELD / DIGITAL
REALTY / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/09/2023

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PUBLIC VERSION

Reliance Industries Limited
Maker Chambers IV
Nariman Point, Mumbai
Maharashtra 400021
India

Brookfield Project Holdings
Unit L16-02, Level 16
ICD Brookfield Place
Dubai International Financial Centre
Dubai – United Arab Emirates

Digital India
5707 Southwest Parkway
Building 1, Suite 275
Austin, TX 78735
USA

**Subject: Case M.11250 – RELIANCE / BROOKFIELD / DIGITAL REALTY / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation
(EC) No 139/2004¹ and Article 57 of the Agreement on the European
Economic Area²**

Dear Sir or Madam,

1. On 28 August 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertakings Reliance Industries Limited (“Reliance”, India), Project Holdings Three (DIFC) Limited (United Arab Emirates), ultimately controlled by Brookfield Corporation (“Brookfield”, Canada), and Digital India, LLC (US), ultimately controlled by Digital Realty Trust, Inc. (“Digital Realty”, US), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of BAM DLR Data Centre Services Private Limited, BAM DLR Mumbai Private Limited, BAM DLR Chennai Private Limited, BAM DLR Network Services Private Limited,

¹ 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.

² OJ L 1, 3.1.1994, p. 3 (the ‘EEA Agreement’).

and BAM DLR Kolkata Private Limited (together: “JV”, India) by way of purchase of shares.³

2. The business activities of the undertakings concerned are the following:
 - Reliance is a private sector company with business activities spanning a range of sectors including energy, petrochemicals, natural gas, retail, media and entertainment, digital services and textiles.
 - Brookfield provides asset management services, focused on real estate, infrastructure, renewable power and private equity.
 - Digital Realty is a real estate investment trust that owns, acquires, develops and operates data centres.
3. The business activities of the JV will be the acquisition, development and operation of data centre facilities in India.
4. 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 139/2004.⁴
5. 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)
Olivier GUERSENT
Director-General

³ Publication in the Official Journal of the European Union No C 315, 5.9.2023, p. 5.

⁴ OJ C 366, 14.12.2013, p. 5.